THE Public Interest

NUMBER 26, WINTER 1972, PRICE: $2.00

**Making Babies—
the New Biology and the "Old" Morality**
Leon R. Kass

**Power and The People
—the Case of Con Edison** *Roger Starr*

Is Television News Biased? *Paul H. Weaver*

The Outlook for Educated Manpower *Eli Ginzberg*

The Political Economy of National Health *Rudolf Klein*

Prisons, Asylums, and Other Decaying Institutions
David J. Rothman

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE Public Interest

NUMBER 26, WINTER 1972

CONTENTS

Of Prisons, Asylums, and Other Decaying Institutions	*David J. Rothman*	3
Making Babies— the New Biology and the "Old" Morality	*Leon R. Kass*	18
Is Television News Biased?	*Paul H. Weaver*	57
Power and The People— the Case of Con Edison	*Roger Starr*	75
The Outlook for Educated Manpower	*Eli Ginzberg*	100
The Political Economy of National Health —*Report from London*	*Rudolf Klein*	112
Current Reading		126
Contributors		125

THE PUBLIC INTEREST is published quarterly by National Affairs, Inc., and appears in Spring, Summer, Autumn, and Winter issues. Its office of publication is located at 404 Park Avenue South, New York, N.Y. 10016. Subscription price: $7.50 per year. Second class postage is paid at New York, N. Y. © 1972 by National Affairs, Inc.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Editors
Daniel Bell and Irving Kristol

Publisher
Warren Demian Manshel

Publication Committee
Stanley Simon (Chairman)
Orville G. Brim, Jr.
Nathan Glazer
Harry Kahn
Daniel P. Moynihan
Arthur J. Rosenthal
Leo Rosten
Martin E. Segal
Arthur L. Singer, Jr.
Robert M. Solow
Roger Starr
James Q. Wilson

Associate Editor
Paul Weaver

Assistant Editor
Marc F. Plattner

Editorial Office
c/o Basic Books, Inc.
404 Park Avenue South, N. Y. 10016

Business Office
The Public Interest, Box 542,
Old Chelsea, New York, N. Y. 10011

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Of prisons, asylums, and other decaying institutions

DAVID J. ROTHMAN

OVER the course of the past several decades, without clear theoretical justification or even a high degree of self-consciousness, we have been completing a revolution in the treatment of the insane, the criminal, the orphaned, the delinquent, and the poor. Whereas once we relied almost exclusively upon incarceration to treat or punish these classes of people, we now frame and administer many programs that maintain them within the community or at least remove them as quickly as possible from institutions. Policy makers in each of these areas interpret their own measures as specific responses to internal developments—an advance in drug therapy or a dissatisfaction with prevailing penitentiary conditions—not as part of a general anti-institutional movement. But such a movement exists, and it must be seen in a comprehensive way if it is ever to be understood.

The basic statistics are, themselves, most striking. Since 1955 the annual number of inmates in the nation's mental hospitals has been falling. New York state institutions, for example, held 93,000 patients in 1955; in 1966, their number dropped to 82,765, and in 1970 to 64,239. A similar decline has occurred in correctional institutions. In 1940, 131.7 prisoners per 100,000 of the population

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

served time in federal or state penitentiaries; in 1965, the number fell to 109.6 per 100,000, and this without a concomitant drop in the number of crimes committed or criminals convicted. Dramatic changes have also affected the young. The orphan asylum has almost disappeared, and the juvenile correction center has also declined in use. As for the poor, the almshouse or traditional poorhouse is no longer a specter in their lives.

Obviously, no one would be foolish enough to predict that within the next 20 or 30 years incarcerating institutions will disappear. Some 400,000 adults and juveniles remain in correctional institutions, and a similar number fill mental hospitals. Moreover, Attorney General Mitchell is insisting that money be spent on constructing new penitentiaries and refurbishing old ones, and the Justice Department's Law Enforcement Assistance Administration spends around $29 million annually in block grants to the states for these purposes. Nevertheless, when our current practices are viewed within historical perspective, the degree to which we have moved away from the incarcerative mode of coping with these social problems is clear enough. We are witnessing nothing less than the end of one era in social reform and the beginning of another.

The movement for incarceration

Institutionalization of "problem people" in the United States originated in the opening decades of the 19th century. Prior to that, colonial communities, particularly the more settled ones along the seaboard, relied upon very different mechanisms of control. Their level of expectations was very low; they did not expect to eliminate poverty or to reform the criminal. Rather, the colonists devoted their energies to differentiating carefully between neighbor and stranger. Typically, they provided assistance to the resident within his household or that of a friend—and they banished the troublesome outsider. A neighbor's poverty was not suspect—clergymen, after all, preached regularly on the virtue of charity, making little effort to distinguish the worthy from the unworthy poor. (As one cleric put it, "What if God were to refuse his mercy to those of us who do not deserve it?") Local ne'er-do-wells were fined or whipped or shamed before their neighbors through such devices as the stocks. Outsiders on the other hand, whether honest and poor or petty criminals, were sent on their way as quickly as possible, often with a whipping to insure their continuing absence.

When these responses proved inadequate, as they often did—

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

residents might not correct their ways or strangers might persist in returning—the community had recourse to the gallows. The frequency with which 18th-century magistrates sentenced offenders to capital punishment testified to the fragility of the system. But almost nowhere did the colonists incarcerate the deviant or the dependent. Jails held only prisoners awaiting trial, not those convicted of a crime; and the few towns that erected almshouses used them only in exceptional cases—for the sailor so ill that he could not be moved, or the resident so incapacitated that no neighbor would care for him.

Beginning in the 1820's the perspective on both poverty and crime underwent a major shift. The relatively passive attitudes of the 18th century gave way to a new, energetic program, as Americans became convinced that poverty and crime, as well as insanity and delinquency, could be eliminated from the New World. Crime, it was decided, did not reflect the innate depravity of man but the temptations at loose in the society. Insanity was not the work of the devil, but the product of a deleterious environment. Poverty was not inevitable, but rather reflected the inadequacies of existing social arrangements. These interpretations revealed not only an Enlightenment optimism about the perfectability of human nature, but a nagging fear that American society, with its unprecedented geographic and social mobility, was so open and fragmented that stability and cohesion could not be maintained unless reforms were instituted. An odd marriage of ideas occurred in the young republic. The optimism of an environmentalist doctrine joined a basic concern that American society was in a state of imbalance—though the majority were coping well enough, a minority seemed unable to confront the challenges of American life. The result was a widespread belief that insanity could be cured in the New World because its causes were rooted in a social order that encouraged limitless ambition and disrespect for traditional opinions and practices. The criminal, too, could be reformed, once he was removed from a setting in which gambling halls and dens of iniquity corrupted him. Poverty would also be eliminated as soon as the poor were taught to resist the temptations at loose in a free community.

Starting from these premises, reformers moved quickly and enthusiastically to a new program: the construction of asylums—new "environments"—for the deviant and dependent. Between 1820 and 1840 penitentiaries spread throughout the country, and the states constructed insane asylums. Concomitantly, they built orphan asylums, houses of refuge (for juvenile delinquents), and almshouses.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The walls that surrounded these structures were intended not only to confine the deviant and dependent but also to exclude the community—for, in origin, incarceration was a semi-utopian venture. Superintendents aimed to establish a corruption-free environment which would compensate for the irregularities and temptations existing in the larger, more turbulent society. Thus the bywords of all Jacksonian institutions became order and routine, discipline and regularity, steady work and steady habits. The inmates would be provided with a new spiritual armor, so that upon release they would go forth shielded from temptations and corruptions.

Models of reform

In fact, the initial organization of the asylums closely approximated the reformers' designs. The institutions consistently isolated the inmates from the community. Wardens sharply limited the number of letters and visits a prisoner could receive and prohibited the circulation of periodicals and newspapers. Insane asylum superintendents instructed relatives to remove the sick patient from the family and bring him to the institution as soon after the onset of the disease as possible, and then not to visit or to write him frequently. Many child-care institutions insisted that the parents abdicate all rights to their children.

The asylums' internal organization put a premium on bell-ringing punctuality and a precise routine. Regimentation became the standard style of prison life in the popular Auburn plan, where the inmates remained isolated in individual cells during the night and worked in congregate shops during the day. Convicts did not walk from place to place, but went in lock step, a curious American invention that combined a march and shuffle. A military precision marked other aspects of their lives. At the sound of a morning bell, keepers opened the cells, prisoners stepped onto the deck, lockstepped into the yard, washed their pails and utensils, marched to breakfast, and then, when the bell rang, stood, and marched to the workshops where they remained till the next signal. The new world set before the insane was similar in many respects. The essential ingredient in "moral treatment" was to bring discipline and regularity into chaotic lives without exciting frenetic reactions. In the well-ordered asylum, declared Isaac Ray, a prominent 19th-century psychiatrist, "quiet, silence, regular routine, would take the place of restlessness, noise, and fitful activity." One of his colleagues noted that in the asylum "the hours for rising, dressing, and washing, for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

meals, labor, occupation, amusement . . . should be regulated by the most *perfect precision.*" This style reappeared in the first houses of refuge. One official boasted that "a month's stay in the company with boys accustomed to systematic discipline and obedience, with a sense that there is no escape from order and regularity, generally converts the most wayward into good pupils." And a visitor to a Long Island orphan asylum was struck by the military exercises that the children followed, ostensibly "as a useful means of forming habits of order." She added that it was supposed to be "beautiful to see them pray; for at the first tip of the whistle, they all dropped to their knees. . . . Everything moves by machinery."

Under these routines American asylums became world famous as models of progressive social reform. Tocqueville and Beaumont and a host of European visitors traveled here to examine our penitentiaries, and the verdicts were almost always favorable. Americans themselves were not reluctant to boast of the glories of their insane asylums or of their almshouses. The reformers' rhetoric and these accolades from distinguished visitors sanctioned the new program, and few contemporaries objected to it. On the contrary, incarceration became the first resort as psychiatrists rushed to put patients behind walls, and judges, with little hesitation, meted out long sentences for convicted criminals. Legislators kept commitment laws as simple as possible, reluctant to erect legal barriers between the insane and the asylum, or between the delinquent and the reformatory. With the promise of rehabilitation by incarceration so grand, safeguards were clearly irrelevant.

From rehabilitation to custody

Unfortunately, the promise turned out to be hollow, and by 1870 the asylums exhibited all their modern ills. They were overcrowded and in sad disrepair, without internal discipline, disorderly, enervating, monotonous, and cruel. Their preoccupation was with custody and security, not rehabilitation. And yet they lasted, maintaining through the 19th century their monopoly over corrections and treatment.

Both the failure and the persistence of the asylums had common causes. The environmental theories of the founders helped at once to promote and disguise the shift from rehabilitation to custody. Superintendent after superintendent succumbed to the notion that in administering a holding operation he was still promoting rehabilitation. The first proponents had so enthusiastically praised the benefits of incarceration that their successors could smugly assume

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that just keeping the inmates behind walls accomplished much good. Regardless of the degree of overcrowding, or the extent of corruption, or the absence of supervision, officials could still self-righteously declare that institutionalization was therapeutic.

Another critical element in both the asylums' failure and persistence was the ethnic and class composition of the inmates. By 1870, and increasingly thereafter, the lower classes and the immigrants filled the penitentiaries and mental hospitals. First it was the Irish, then the Eastern Europeans, and later the blacks. Incarceration thus became identified in the public mind as the particular fate of the outsider. To the middle and upper classes, the inmate was an outcast even before entering his ward or cell. Since institutionalization served marginal people, the conditions could be no worse than the inmates. In essence, the promise of reform had built up the asylums and the functionalism of custody perpetuated them.

The new reform movement

The Progressive era marked a dividing point in public policy, giving the initial thrust to new, non-institutional programs. Change was uneven and selective, affecting some areas more quickly than others. Nevertheless, between 1890 and 1920 care and correction of the deviant and dependent began to shift away from incarceration. The changes were most popular and complete where citizens' suspicions and fears were least intense. The first caretaker institutions to decline in importance were orphan asylums, replaced by foster homes and liberalized adoption proceedings. Public and private benevolent societies that in the 19th century had devoted their funds to administering child-care institutions transformed themselves into placing-out and adoption agencies. Simultaneously, innovations in public welfare programs decreased reliance on the almshouses, at least for some groups. State aid that allowed widowed mothers to care for their dependent children at home was first enacted in Illinois in 1911 and then spread quickly through densely populated and industrial states. No longer would these women be dispatched to an almshouse and their dependents to an orphan asylum.

New Deal legislation furthered these trends. The Social Security Act of 1935 eliminated incarceration for other segments of the poor, keeping the aged and the able-bodied unemployed out of the almshouse. The law expressly prohibited federal grants to states to expand their almshouses, and refused to match state funds that went to the support of persons institutionalized. Incarceration had

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

been the mainstay of public relief for over one hundred years, and the abolition of this policy was no mean feat.

In the first decades of the 20th century, state mental hospitals also began to decline in importance. Between 1920 and 1940, outpatient facilities for the mentally ill—caring for the patient during the day and returning him home at night—opened in several metropolitan centers. In the post-World War II period the program grew increasingly popular, particularly after the passage of the Community Mental Health Act of 1963, under which the federal government matches state funds for constructing community mental health facilities. As a result, institutionalization in large state mental hospitals has steadily dropped, so that patients discharged now outnumber patients admitted. Indeed, the principles of anti-institutionalism are now so widely accepted that the mental health literature is beginning to focus on the administrative question of how best to convert custodial institutions into community outpatient centers.

Other types of custodial institutions are also gradually disappearing. It was the pride of Jacksonian reformers to construct asylums for retarded and defective children, and many of these structures lasted into this century. Physicians and administrators, however, are now eager to abandon this approach and to end the isolation of these children. They organize special public school curriculums that enable many of these youngsters to live home; and where residential treatment is necessary, they design small structures in the community, not large, isolated ones in a country location.

In this same spirit, states are experimenting with incentives to encourage not just foster care, but adoption for orphaned and illegitimate children. Traditionally, the foster home received compensation for its effort but the adoptive one did not. Convinced that many foster families would prefer to adopt their child but cannot afford to give up the stipends they receive, officials are offering payments, based on need, to adopting parents as well. The motive is clear; the closer the surrogate family approximates the normal one, the less it resembles an institution, the better. In fact, the spread of contraceptive knowledge together with liberalization of the abortion laws makes it not unlikely that child asylums, and perhaps even adoption, will disappear within the next two decades.

The decline of the prison

Although prison walls still impose themselves massively upon the public eye, in this field too we have decreased our reliance upon

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

incarceration. Correctional institutions have lost their 19th-century monopoly. Since 1961 the percentage of the population in prisons has declined annually. The most important procedure effecting this change is probation. In 1965, 53 per cent of all offenders were out in the community under the periodic supervision of a probation officer. By 1975, according to the estimates of an advisory committee to the President's Commission on Law Enforcement and the Administration of Justice, the proportion will rise to 58 per cent. The most dramatic increases have been among juvenile offenders. In 1965 only 18 per cent of convicted delinquents served in correctional institutions, while 64 per cent were on probation. Among adult offenders, 39 per cent of those convicted of a crime were institutionalized, while 49 per cent (including, to be sure, misdemeanants) were on probation.

The other major alternative to prolonged incarceration is parole, whereby a convict having completed some fraction of his sentence is discharged from prison and obliged to report regularly to a corrections officer. Although the idea of parole is not new—it was advocated by many prison experts as early as the 1870's—it has been extensively used only in the post-1930 period. Reliance on parole, it is true, varies enormously from state to state. In New Hampshire and Washington, practically every convict leaves the state prison before completing his formal sentence; in Oklahoma, Wyoming, and South Dakota, less than 20 per cent of the inmates enjoy this privilege. Still, by 1965, 18 per cent of all juvenile delinquents and 12 per cent of adult offenders were on parole. Among all convicts serving in American prisons in 1964, fully 65 per cent won release under this program.

Several states are also experimenting with new programs to decrease the distance between correction programs and the community. The publicity given these procedures to date outweighs their actual importance, but they all look to the same anti-institutional goal. One such effort is work release, whereby the offender leaves the prison in the morning, works at his job in the community, and then returns to confinement at night. One warden regards this innovation as "revolutionary, not evolutionary. It's going to change," he predicts, "about all of penology." For the moment, however, work release has been authorized in some 24 states and for the federal corrections systems. Important programs operate in Wisconsin, California, Minnesota, and North Carolina; in Wisconsin, for example, it affected 30 per cent of the misdemeanants in 1956, and 48 per cent in 1964. And, at present, some five per cent of all federal

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

offenders come under it. But the scope of work release is limited, typically not covering those convicted of crimes of violence or of a morals charge, or those believed to be part of an organized crime syndicate. Some preliminary evaluations also suggest that the arrangement is expensive and cumbersome to administer. Nevertheless, some states are trying to extend the program to cover felons, and they also report a significant drop in such incarceration-related costs as welfare payments to convicts' families.

Legal reform

These developments have stimulated and in turn been furthered by an important series of legal actions intended to reduce dependence on incarceration. The most notable advances have occurred in the field of juvenile detention. In the *Gault* decision (1967) the Supreme Court brought some of the protections of "due process" to the juvenile courts. While the requirements that the Court insisted upon were by no means negligible—notification of charges and the right to confront witnesses—it is not only for procedural reasons that the case stands out; for the *Gault* decision was premised upon a disillusionment with incarceration. Underlying the majority opinion, written by Justice Fortas, was the belief that the juvenile institution was totally inadequate to the job of reformation. As Justice Black insisted in a concurring opinion, "It is in all but name a penitentiary." And since the disposition of a juvenile case might well result in confining the offender to an essentially penal institution, the justices wanted the trial proceedings to protect the defendants' rights. A similar reason appeared in the Court's decision in the *Winship* case. In an earlier day, magistrates assumed that a reformatory would accomplish some good and were therefore content to incarcerate delinquents on the basis of the "preponderance of the evidence." Now, far less enthusiastic about these institutions, the Court ruled that juvenile convictions had to meet the standard of "beyond a reasonable doubt."

Public interest law firms and reform organizations have also launched major campaigns to extend legal protections to prison inmates and to reduce the disabilities convicts suffer after release. As a result of these efforts, lower courts have ruled that solitary confinement for juveniles violates their constitutional right against cruel and unusual punishment. They have also extended this reasoning to prohibit the use of "strip cells," in which the convict must crouch naked in a space so designed that he can neither stand nor

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sit down. Recent state penal codes have begun to expand convicts' procedural rights, and the courts, most notably and recently in the *Landman* decision, have also insisted on expanding the prerogatives and protection due the convict. In *Landman,* the federal district court forbade the Virginia state penitentiary system from any longer imposing a bread and water diet, from using chains or tape or tear gas except in an immediate emergency, from using physical force as a punishment; it also demanded minimum due process protections before a convict lost "good time" (that would shorten his sentence), or suffered any deprivation of his normal prison privileges (such as loss of exercise or communication with other inmates). Suits now pending are also contesting the constitutionality of prohibiting ex-convicts from obtaining trucker's or chauffer's licenses and the restrictions on parolees' rights of association and travel. Thus, one detects not only a closing of the gap between the legal rights of citizens and those of inmates, but the beginnings of a series of changes that will make the prison system as we know it increasingly unworkable.

Another major concern of these reformers is the liberalization of bail. One of their goals is to insure that bail itself will not be set excessively high, and that bonds are not difficult to obtain. But they are also experimenting with methods that eliminate bail altogether, allowing many of those awaiting trial to go free on their own recognizance. Since city detention centers and jails are filled with arrestees waiting their turns on crowded court calendars, this innovation would dramatically reduce the numbers incarcerated. One pilot project by the Vera Institute revealed that, in New York City, with careful field work the percentage of those arrested on minor offenses who can be sent home without bail is substantial, and only a few of them will fail to appear at trial (4.6 per cent of some 37,000 cases). Moreover, these procedures saved the city some $2.5 million in police and court costs. With such results it is no wonder that the Institute is trying to expand the program to persons caught committing petty crimes, a step that would further decrease the numbers incarcerated and save additional funds.

Avoiding new illusions

Thus, over the past several decades public officials and private organizations have energetically and successfully attempted to reduce reliance upon incarceration. They have done so with considerable enthusiasm—one doesn't achieve sweeping reforms of this

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

kind without enthusiasm. However, there is the danger that this enthusiasm could lead to exaggerated expectations and, eventually, public disillusionment.

One of the first tasks confronting the various proponents of anti-institutional measures is a clear and level-headed definition of expectations and purposes. In the Progressive era, when many of these plans were first devised, the reform rhetoric promised breathtaking success. Advocates shared not only a disgust with the custodial practices of large state institutions but a generally unqualified faith that the deviant and dependent, if left in the community under proper supervision, would quickly undergo rehabilitation. Incarcerating these classes, the reformers insisted, had the effect of confirming their anti-social impulses. Keeping them within society would break the pattern and promote normal behavior. But this is probably to promise too much. More important, it focuses attention on the wrong things. We do not yet know whether the anti-incarceration movement will be any more effective than the original pro-incarceration movement—equally idealistic and enthusiastic—in effecting "cures." But there are other and very powerful arguments in its favor.

To begin with, there is the fact that many of the institutions functioning today, particularly correctional ones, are simply a national scandal, a shame to the society. They brutalize the inmates, humiliate them, and educate them in the ways of crime. Moreover, an impressive sociological literature, exemplified in the writings of Erving Goffman and Gresham Sykes, convincingly demonstrates that these characteristics are inherent in institutions, which by their very nature are infantalizing or corrupting. Moreover, while incarceration does exclude the deviant from the community for a period of time, eventually he is released; so unless one is prepared to lock up the criminal and throw away the key, institutionalization does not offer permanent security. And while public opinion may be growing tougher on the offender, we have not yet reached, and in all likelihood we are not going to reach the point where life sentences for robbers, burglars, car thieves, and embezzlers will seem like an equitable solution.

Institutionalization is also incredibly expensive. To confine 201,220 criminals in state institutions in 1965 cost $384,980,648; to administer probation programs for slightly more than twice that number of people cost $60 million. Somehow, it would seem, the vast sums expended on institutionalization could be better spent.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The lesson of Attica

But perhaps the most compelling reason for experimenting with anti-institutional programs is that the penitentiary has actually lost much, if not all, of its legitimacy in our society. It is not just academic students of criminal incarceration who despair of the penal system. Those in charge of the prisons, from wardens and corrections commissioners to state legislators, also share an incredibly high degree of self-doubt, ambivalence, dismay, and even guilt over prison operations. They are no longer secure in what they are doing. The depth and impact of these attitudes emerged with striking clarity and force in the recent events at Attica. Given the history of prison administration in this country, what is surprising and unusual about this revolt is not that it was suppressed harshly, but that several days were spent in negotiation. Attica was not our first prison riot; all through the 1920's and 1930's bloody revolts broke out, only to be repressed immediately, even at the cost of some hostages' lives. Why was Attica different? Why were negotiators flown in, an ad hoc committee formed, proposals and counterproposals exchanged? Why did this prison riot come to resemble so closely the student uprising and the university administration's response at Columbia in 1968?

The most obvious answer, that many hostages' lives were at stake, is altogether inadequate. It is a clear rule of prison guard life, one that is conveyed immediately to recruits, that guards are not ransomable. Should one or more of them be taken hostage, no bargain will be struck for their release. The maxim is not as coldhearted as one might first think. On the contrary, it assumes that once convicts understand that guards are not ransomable, they will have no reason—except for pure revenge—to take them as hostages. And, in fact, events have usually borne out the shrewdness of this calculation: For all the brutality of the prison system, guards have not often been the victims of the prisoners' anger or desperation. Then why did not officials in New York stand by this rule, move in quickly at Attica to regain control, and rationalize the entire operation as necessary to protect guards' lives everywhere?

The failure to act immediately and with confidence points directly to the prison's loss of legitimacy. Both the inmates and their keepers shared an attitude that Attica was in a fundamental way out of step with American society. Most of the convicts' demands were not obviously unreasonable in the light of public opinion today: better pay for their work, better communication with their families, rights

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to law books and counsel. Most citizens were probably surprised to learn that these privileges were not already established. Commissioner Oswald himself had promised Attica inmates just before the riot that these changes were long overdue and would soon be enacted. How could he then act with sure and fast resolve to repress harshly a revolt when many of its aims were conceded to be sensible and appropriate and long overdue? It is one thing to sacrifice guards' lives for a system that has a sense of its own purpose; it is quite another to sacrifice them when the system is full of self-doubts. So Oswald negotiated, brought in outsiders, and tried to bargain. In the end it did not work, perhaps because not enough time was allowed, perhaps because compromise is impossible in such a charged situation. The revolt was suppressed, with a rage and force that in part reflects the urge to obliterate the questions and the ambivalence. Still, from Attica we have learned that we cannot administer penal institutions that we no longer believe in.

From Attica we have also learned how impossible it is to administer existing prisons when inmates withold their compliance. The internal organization of penitentiaries today is an irrational mix of old rules, some relaxed, others enforced. Whereas once all prisoners spent their time isolated in a cell, now they mingle freely in the yard, communicate with each other, and move about. As a result, the cooperation of hundreds of prisoners is necessary to the smooth running of the institution. The ratio of guards to inmates is generally low; officers are able to prevent mass break-outs but are not able to prevent takeovers. As events at Attica demonstrated clearly, a group acting in concert has great power to disrupt the normal routine. Moreover, the likelihood of similar actions recurring seems very high. For one, prisoners are certain to sense the steady loss of legitimacy of incarcerating institutions in our society. For another, the convicts in state institutions are bound to be more homogeneous in terms of class (lower), color (black), crime (violent), and politics (radical). As white embezzlers or blacks guilty of property offenses increasingly go out on probation or enter minimum-security prison farms, the possibilities for uprisings by those remaining in penitentaries increases. To be sure, the state might respond to this crisis by building bigger and internally more secure prisons; we do have the managerial ability to structure settings where 20 guards can keep 1,000 men captive. But this response will probably not get very far. The courts, given their due process inclinations, will not allow such prisons, and wardens do not seem to have the inclination to administer them.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A new calculus

The implication of this state of affairs makes clear that we must experiment with alternatives. Incarceration is at once inhumane by current standards, destructive of inmates, incredibly expensive, and increasingly losing its legitimacy. Our institutions of incarceration are 19th-century anachronisms, out of step with the other American institutions of the 1970's. This marked discrepancy among our social institutions cannot continue for very long without provoking crises more disastrous than Attica. It is time for a new calculus and a new strategy.

The dilemma we now face may enable us to progress in ways that might have been impossible in calmer times. For we no longer need to demonstrate that innovations will accomplish such grandiose goals as solving the problem of crime or reforming the deviant. Such goals are, of course, desirable. But the plain fact of the matter is that we have not yet been able to invent techniques or procedures to achieve them. The record on criminal reform, past and present, is dismal—if by reform one means transforming criminals into law-abiding citizens. That existing prisons do not rehabilitate anybody, or produce lower rates of crime, or decrease recidivism, is beyond dispute. Would newer programs like increased staff for probation, or half-way houses, or intensive prison counseling, or liberalized bail accomplish these ends? Probably not. Research findings on the effectiveness of these procedures demonstrate all too unanimously that no one procedure has a better effect in reforming the criminal or lowering recidivism rates than any other. Social science has not reached the point of being able to fulfill these aims.

Yet if we look to more simple and realizable goals, if we employ such criteria as the degree of humanity and cruelty, or the levels of financial costs, or the kinds of structures we want to live with in a democratic society, we may fare a good deal better. In essence, if we recognize that we face a choice among evils, we may do more to ameliorate existing conditions than if we cling to fanciful notions of reform.

These considerations are immediately relevant to policy decisions we now confront. Ought we to build new and better equipped prisons, with better lighting, larger cells, more schoolrooms and workshops (as Attorney General Mitchell proposes)? Ought we at the same time to construct max-max security prisons, ostensibly to bring more intensive treatment to the hard-core recidivist, while allowing inmates in other institutions to gain greater freedom of action (a plan now under consideration in New York State)? Those

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pressing for these modifications invariably cloak their arguments in the garb of reform: The hard-core recidivist will receive far more personal attention than before; he will be able to visit a prison psychiatrist for counseling and have the benefit of individual instruction; in new and more commodious prisons inmates will live more comfortably, master a trade, and return, without anger or frustration, to the community as diligent, law-abiding citizens. One suspects, with much justification, that this rhetoric is really an after-the-fact rationalization for a more straightforward urge to get tough with the criminal. But even in its own terms, the program is foolhardy. One psychiatrist per maximum security prison (as in the New York plan) is not going to rehabilitate anybody; indeed, given the state of the art, even 20 or 30 of them could not do the job. Nor are workshops and classrooms automatically going to turn convicts into respectable citizens. In the name of such illusory goals we ought not to invest thousands of dollars in prison structures. At best, these changes would be temporary and shaky supports for an already crumbling system. Ultimately, when their goals prove illusory, as they surely will, we will be back where we started with brutal, expensive, and increasingly illegitimate institutions.

Instead let us invest these funds in broadening probation, parole, bail, and half-way houses—not because they offer a hope of redeeming the criminal, or of ridding our society of crime, but because (a) they will do no worse than our present system in terms of prevention, and (b) the price we pay for them, in terms of human and financial and social costs, will be considerably lower. The sums saved on institutional expenditures could well be used to underwrite a national crime insurance program to compensate victims (a procedure already in limited operation in six states), or perhaps to increase the number of policemen on the beat. It might prove necessary to administer a few maximum security prisons for recidivists, rapists, and murderers—but they would function admittedly as places of last resort, without any pretense of reform.

There is no magical plan for prison reform that can promise to reduce the number of criminals or the number of crimes. We know of no correction system that can deliver on such a promise. But that is no reason to continue to suffer our present arrangements. If we scale down our expectations and rely upon such basic standards as human decency and economic costs, we will be in a better position to consider the merits of innovation and decarceration.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Making babies —the new biology and the "old" morality

LEON R. KASS

Good afternoon ladies and gentlemen. This is your pilot speaking. We are flying at an altitude of 35,000 feet and a speed of 700 miles an hour. I have two pieces of news to report, one good and one bad. The bad news is that we are lost. The good news is that we are making excellent time. —*Author unknown*

THOUGHTFUL men have long known that the campaign for the technological conquest of nature, conducted under the banner of modern science, would someday train its guns against the commanding officer, man himself. That day is fast approaching, if not already here. New biomedical technologies are challenging many of the formulations which have served since ancient times to define the specifically human—to demarcate human beings from the beasts on the one hand, and from the gods on the other. Birth and death, the boundaries of an individual human life, are already subject to considerable manipulation. The perfection of organ transplantation and especially of mechanical organs will make possible wholesale reconstructions of the human body. Genetic engineering, a prospect already visible on the horizon, holds forth the promise of a refined control over human capacities

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and powers. Finally, technologies springing from the neurological and psychological sciences (e.g., electrical and chemical stimulation of the brain) will permit the manipulation and alteration of the higher human functions and activities—thought, speech, memory, choice, feeling, appetite, imagination, love.

The advent of these new powers for human engineering means that some men may be destined to play God, to re-create other men in their own image. This Promethean prospect has captured the imagination of scientist and layman alike, and is being hailed in some quarters as the final solution to the miseries of the human condition. But this optimism (not to say *hybris*) has been tempered by the dim but growing recognition that the use of these new powers will raise profound and difficult moral and political questions—and precisely because the objects on which they are to operate are human beings. In this essay, I consider some of these moral and political questions in connection with one group of new technologies: the technologies for making babies.

Why make babies?

Why would anyone want to provide new methods for making babies? A major reason given is that, in many instances, the "old"[1] method is not possible. Despite greatly increased abilities to diagnose and to treat the causes of infertility in recent years, some couples still remain involuntarily childless. Thus, paradoxically, while the need to limit fertility becomes ever more apparent, some scientists and physicians have taken it as their duty to satisfy the natural desire of every couple to have a child, by natural or artificial means.

Some rather large questions arise here. Physicians have a duty to treat infertility by whatever means only if patients have a right to have children by whatever means. But the "right to procreate" is an ambiguous right, and certainly not an unqualified one. Whose right is it, a woman's or a couple's? Is it a right to carry and deliver (i.e., only a woman's right) or is it a right to nurture and rear? Is it a right to have your own biological child? Even if involuntary sterilization imposed by a government would violate such a right, however de-

[1] This awkward use of "old" calls attention to the subtle traps laid for us by the abuse of language. In a time and place where novelty and originality are considered cardinal virtues, and when faddishness has replaced tuberculosis as the scourge of the intellectual classes, one should vigorously resist the tendency to make things attractive simply by emphasizing their newness. Is the "old" way of beginning life *merely* old, simply traditional and conventional?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fined, is it "violated" or denied by sterility not imposed from without but due to disease? Is the inability to conceive a disease? Whose disease is it? Can a couple have a disease? Does infertility demand treatment wherever found? In women over seventy? In virgin girls? In men? Can these persons claim either a natural desire or natural right to have a child, which the new technologies might or must provide them? Does infertility demand treatment by any and all available means? By artificial insemination? By *in vitro* fertilization? By extracorporeal gestation? By parthenogenesis? By cloning—i.e., "xeroxing" of existing individuals by asexual reproduction?[2]

Simply posing these questions suggests that both the language of rights and the language of disease could lead to great difficulties in thinking about infertility. Both point to possessions or properties of single individuals, for it is an individual who bears rights and diseases. Yet infertility is a relationship as much as a condition—a relationship between husband and wife, and between generations too. More is involved than the interests of any single individual. Ultimately, to consider infertility (or even procreation) solely from the perspective of individual rights can only undermine—in thought and in practice—the bond between childbearing and the covenant of marriage. And in a technological age, to view infertility as a "disease," one demanding treatment by physicians, automatically fosters the development and encourages the use of all the new technologies mentioned above.

A second reason given for seeking new methods for making babies is that sometimes the old method is thought to be undesirable or inadequate, primarily on eugenic grounds. A diverse—and ultimately incompatible—collection of champions are presently in bed together under this rationale: patient-centered physicians and genetic counsellors seeking to prevent the transmission of inherited diseases to prospective children of carrier parents, species-centered pessimists concerned to combat the alleged deterioration of the human gene pool, and zealous optimists eager to engineer "improvements" in the human species. The new methods called for include the growth of early embryos in the laboratory with selective destruction of those who do not pass genetic muster; directed mating with eugenically selected eggs, sperm, or both; and asexual replication of existing "superior"

[2] Those who seek to submerge the distinction between *natural* and *unnatural* means would do well to ponder these questions, and reflect on what they themselves mean when they speak of "a natural desire to have children" or "a [natural human] right to have children." One cannot speak of natural desires or natural human rights or, indeed, about disease, without having some notion of "normal," "natural," and "healthy" for human beings.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

individuals. But serious questions can be raised with respect to these ends as well. For example, we may know which diseases we would wish not to have inflicted upon ourselves and our offspring, but are we wise enough to act upon these desires? In view of our ignorance concerning why certain genes survive in our populations, can we be sure that the eradication of genetic disease (or of any single genetic disease) is biologically a sensible goal? Might it not have unanticipated genetic consequences?

The species-centered goals are even more problematic. Do we know what constitutes a deterioration or an improvement in the human gene pool? One might well argue that, at least under present conditions, the crusaders against the deterioration of the species are worried about the wrong genes. After all, how many architects of the Vietnam war have suffered from Mongolism? Who uses up more of our irreplaceable natural resources and who produces more pollution—the inmates of an institution for the retarded or the graduates of Harvard College? It is probably as indisputable as it is ignored that the world suffers more from the morally and spiritually defective than from the genetically defective. Thus, it is sad that our best minds are busy fighting our genetic shortcomings while our more serious vices are allowed to multiply unmolested.

Perhaps this is too harsh a judgment. Certainly, our genetic inheritance is entrusted to us for safekeeping and not for abuse or neglect. Perhaps a case could be made for the desirability and wisdom of certain negative or even positive eugenic goals. Still, as in the treatment of infertility, we shall also have to consider which means, if any, can be justified in the service of *any* reasonable goals.

Thirdly, there are scientific goals which themselves generate new beginnings in life. In other words, there is a limit to what can be learned about the nature and regulation of fertilization, embryonic development, or gene action from lives begun in the old, undisturbed, natural manner. This is no doubt true. But if the goal is scientific knowledge of these processes for its own sake, there is little need to develop new beginnings in *human life*. Embryological experimentation in a wide range of mammals, employing all the new technological possibilities, would yield the basic understanding. There is at present no reason to believe that the fundamental mechanisms of differentiation differ in monkeys and in man. Until extensive animal studies show otherwise, the human experiments can only be given a technological and not a purely scientific justification. (Indeed, it is the philanthropic foundations interested in finding new drugs for abortion or contraception who are supporting much of the work on the laboratory

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

growth of human embryos. For example, the work of R. G. Edwards and his colleagues in Cambridge, England, is supported by the Ford Foundation.) These technological purposes and activities (and others, such as the use of early embryos in culture to test for mutation- or cancer-producing chemicals and drugs, or to work out techniques for genetic manipulation) may well be desirable, but they need to be so identified and distinguished from the quest for knowledge simply. Adequately to assess the desirability of any specific means, and properly to weigh alternative means, requires a clear understanding of which ends are being served.

Finally, new methods for making babies are being sought precisely because they are new and because they can be sought. While not praiseworthy reasons, these certainly are important reasons, and all-too-human ones. Drawn by the promise of fame and glory, driven by the hot breath of competitors, men do what can be done. Biomedical scientists are no less human than anyone else. Some of them will be unable to resist the lure of immortality promised the father of the first test tube baby. Moreover, regardless of their private motives, they are encouraged to pursue the novel because of the widespread and not unjustified belief that their new findings will probably help to alleviate one form or another of human suffering. They are also encouraged by that curious new breed of techno-theologian who, after having pronounced God dead, discloses that God's dying command was that mankind should undertake its limitless, no-holds-barred self-modification, by all feasible means.

So much then for reasons why some have called for and helped to promote new beginnings for human life. But what precisely is new about these new beginnings? Such life will still come from pre-existing life; no new formation from the dust on the ground is being contemplated, nothing as new—or as old—as that first genesis of life from non-living matter is in the immediate future. What is new is nothing more radical than the divorce of the generation of new human life from human sexuality, and ultimately from the confines of the human body, a separation which began with artificial insemination and which will finish with ectogenesis, the full laboratory growth of a baby from sperm to term. What is new is that sexual intercourse will no longer be needed for generating new life. (The new technologies provide the corollary to the pill: babies without sex.) This piece of novelty leads to two others: There is a new co-progenitor, the embryologist-geneticist-physician, and there is a new home for generation, the laboratory. The mysterious and intimate processes of generation are to be moved from the darkness of the womb to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the bright (fluorescent) light of the laboratory, and beyond the shadow of a single doubt.

But this movement from natural darkness to artificial light has the most profound implications. What we are considering, really, are not merely new ways of beginning individual human lives but also—and this is far more important—new ways of life and new ways of viewing life and the nature of man. Man is partly defined by his origins; to be bound up with parents, siblings, ancestors, is part of what we mean by "human." By tampering with and confounding these origins, we are involved in nothing less than creating a new conception of what it means to be human.

Consider the views of life and the world reflected in the following different expressions to describe the process of generating new life. The Hebrews, impressed with the phenomenon of transmission of life from father to son, used a word we translate "begetting" or "siring." The Greeks, impressed with the springing forth of new life in the cyclical processes of generation and decay, called it *genesis*, from a root meaning "to come into being." (It was the Greek translators who gave this name to the first book of the Hebrew Bible.) The pre-modern, Christian, English-speaking world, impressed with the world as given by a Creator, used the term pro-creation. We, impressed with the machine and the gross national product (our own work of creation), employ a metaphor of the factory, re-production. And Aldous Huxley has provided "decantation" for that technology-worshipping Brave New World of tomorrow.

"In vitro" fertilization—state of the art

The first technological development I shall discuss is an accomplishment recently reported from several laboratories around the world, most publicly from that of Dr. R. G. Edwards in Cambridge, England: the fertilization, in the test tube, of human egg by human sperm, and the subsequent laboratory culture of the young embryo. The major technical difficulty overcome was to obtain mature, functional eggs. To surmount this difficulty, Edwards and his obstetrician colleague, Dr. P. C. Steptoe, have devised a surgical method, known as laparoscopy, to obtain matured eggs directly from the ovaries prior to ovulation. From a single woman as many as three or four eggs can be recovered at one operation. Upon addition of sperm, fertilization occurs with a small but significant fraction of these eggs. Kept in culture medium, a majority of the fertilized eggs begin to divide, and a small fraction reach the blastocyst stage

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(i.e., age of about 7-8 days), the stage at which the early embryo normally implants itself in the wall of the uterus. Successful implantation of laboratory-grown embryos has been reported in rabbits and in mice, but not in humans. The physical transfer of the embryo into the uterine cavity poses no problem, but implantation may be difficult to achieve with regularity, since this process is poorly understood. It *is* known that the uterine lining is receptive to implantation only for a short portion of the menstrual cycle, and that only embryos at a certain stage are capable of implantation. Thus, the timing of transfer is likely to be critical. The results in mice can be considered to be somewhat encouraging. A recent article reports that nearly half of the transferred blastocysts developed into full-term, apparently normal progeny; however, the success rate over all stages was low, with only four per cent of the initial number of eggs giving rise at the end to viable mice. No gross abnormalities have been noted in any of the animals born alive following blastocyst transfer. And although some researchers would prefer to learn more about the control of implantation in animals before proceeding further in the human work, others are inclined to go ahead in humans on a trial and error basis. In fact, Edwards and Steptoe hope to accomplish transfer and subsequent growth into a baby sometime in the next year or two.

This summarizes the current state of the art on new beginnings in *human* life. But there is much work being done with other mammals which will provide knowledge and techniques someday applicable to humans. Some of these developments deserve mention (although a detailed treatment is beyond the scope of this essay). Considerable progress has been made in growing older mammalian embryos in the laboratory. Dr. D.A.T. New and his colleagues in Cambridge, England, have been successful in growing rat and mice embryos bathed in blood serum medium for about one third (the middle third) of the whole gestation period. As the embryo approaches term-size, it can no longer be maintained bathed in media, but requires more efficient circulation and exchange of nutriments, gases, and wastes. Various artificial pump and perfusion techniques, analogous to the artificial kidney machine, are being studied in an effort to design an artificial placenta. Finally, a long-standing early barrier to extensive laboratory culture, located just after the blastocyst stage, has recently fallen. Dr. Yu-Chih Hsu of Johns Hopkins University has reported the successful culture of mouse embryos from the blastocyst stage to a stage having a differentiated and beating heart. Thus, from both ends and from the middle, research-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ers are gradually closing in on the possibility of complete extracorporeal gestation. It should be stressed that these techniques are being pursued primarily to make possible a better understanding of the full scope of embryonic development. However, even though no scientists at present appear to be interested in going from fertilization to birth entirely in the laboratory,[3] the technology to do so is gradually being worked out piece by piece.

Techniques to predetermine the sex of unborn children may also be just around the corner. Since the sex is determined solely by the X- or Y-chromosome content of the sperm, techniques for physical separation of X-carrying from Y-carrying sperm would make sex control possible through artificial insemination. Attempts to effect such a separation have all met with failure, but new efforts can be expected, partly because of recently discovered methods for detecting the Y-chromosome in cells, methods which may serve as an assay for successful separation. A second method of sex control, already successfully demonstrated in rabbits, involves the sexing of embryos (prior to implantation) by cell-staining techniques or chromosome analysis. Embryos of the desired sex could then be transferred to the recipient females. Though accurate, this sexing technique is not without its problems, since embryonic tissue needs to be removed for testing. In the rabbit work, only about one in five embryos sexed by these methods developed to full term, and there was at least one monstrous birth. Even if these technical difficulties were ironed out, it is doubtful that many will accept the costs and inconvenience of *in vitro* fertilization or even artificial insemination merely to control the sex of their offspring—unless perhaps they are known carriers of a sex-linked genetic disease such as hemophilia. Less cumbersome methods, e.g., a chemical method that would selectively destroy either the X- or the Y-carrying sperm in the man's body or soon after intercourse, are conceivable but as yet unreported, even in animals.

Finally, the generation of man-animal hybrids or "chimeras" has been predicted by some reputable scientists. These might be produced by the introduction of selected non-human genetic material into the developing human embryos. Fusion of human and non-human cells in tissue culture has already been achieved.

---

[3] Although no scientist *appears* to be, at least one *is* interested, according to a quotation in Albert Rosenfeld's book, *The Second Genesis* (Englewood Cliffs, N.J.: Prentice-Hall, 1969): " 'If I can carry a baby all the way through to birth *in vitro*,' says an American scientist who wants his anonymity protected, 'I certainly plan to do it—though obviously, I am not going to succeed on the first attempt, or even the twentieth' " (p. 117).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"In vitro" fertilization—ethical questions

At the end of a recent popular review article in *Scientific American* summarizing the work on human embryos, Drs. Edwards and Fowler offer the following conclusion: "We are well aware that this work presents challenges to a number of established social and ethical concepts. In our opinion the emphasis should be on the rewards that the work promises in fundamental knowledge and in medicine." Here, we are told that we *should* "emphasize" promised rewards in knowledge and power at some future time at the expense of established (don't they really mean "establishment" or "conventional"?) ideas of right. But this is itself a judgment of value—untenable as a *general* proposition for experimentation on human subjects—whose soundness in this particular case cannot be determined until the full range of ethical, social, legal, and political implications is carefully studied and understood.

Let us consider first what is probably the least controversial and likely to be the most popular use, at least initially, for *in vitro* fertilization, the provision of their own child to a childless couple, where oviduct disease in the woman obstructs the free passage of egg and sperm, and hence also fertilization.[4]

At first glance, the intramarital use of *artificial fertilization* resembles, ethically, *artificial insemination (husband).* The procedure simply provides for the union of the wife's egg and the husband's sperm, circumventing the pathological obstruction to that union. But there is at least this difference. There is an alternative treatment for infertility due to tubal obstruction, namely surgical reconstruction of the oviduct, which, if successful, permanently removes the cause of infertility (i.e., it treats the underlying disease, not merely the desire to have a child). Moreover, it does so without need for manipulation of embryos. At present, the success rate for oviduct reconstruction is only fair, but with effort and practice this is bound to improve. This therapeutic surgery for the woman is without possible moral objection or adverse social consequences. Therefore, it is to be preferred over artificial fertilization, both in principle (namely,

---

[4] There are many infertile women so affected, crude estimates suggesting as many as one per cent of all women. Approximately 10 per cent of couples are infertile, and in more than half of these cases the cause is in the female. Blocked or abnormal oviducts account for perhaps 20 per cent of the female causes of infertility. However, not all such women—perhaps only a minority—are suitable candidates for the intramarital use of *in vitro* fertilization. Many women who have blocked tubes also have associated disordered ovaries, making it difficult or impossible for a doctor to obtain eggs from them. For this reason, only some of these women are likely to be able to provide their own eggs for fertilization.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

one should use the least objectionable means to achieve the same unobjectionable end) and in practice, should both options be feasible and available.

A sufficient reason for this preference is related to the most important intrinsic difference between artificial insemination and artificial fertilization. In the latter, fertilization occurs in the laboratory, as do the earliest stages of embryonic development. Considerably more manipulation is involved, and, unlike the procedures of artificial insemination, there is necessarily deliberate manipulation of the embryo itself. Serious questions can be raised about the effects of the manipulations on the child who is eventually produced by this procedure. These medical questions about safety and "normality" lead to a perplexing moral question: Does the parents' desire for a child entitle them to have it by methods which carry for that child an unknown and untested risk of deformity or malformation?

How unknown are the risks? The leading researchers appear to disagree. Drs. Edwards and Steptoe are reported ready to proceed with implantation if tests on the embryos can rule out the presence of genetic or other defects. Apparently, they are both concerned about the risks and ignorant of their likelihood. In their judgment, "the normality of embryonic development and efficiency of embryo transfer cannot yet be assessed."[5]

In contrast to Edwards and Steptoe, Dr. Landrum Shettles at Columbia University does not talk about the need for further tests, and appears ready to proceed, having thrown the gauntlet and the burden of proof to those who might be more cautious or who might raise other objections. In a recent article he states that "the grossly normal blastocyst" was not transferred to the patient for the single reason that she had recently undergone uterine surgery. He adds: "Otherwise, there was no discernible contraindication for a successful transfer *in vitro* [*sic;* he means *in utero*] and continued development. This is scheduled for patients with ligated or excised fallopian

[5] Perhaps it was a concern for possible risks to the offspring that accounts for the unexplained judgment, quite surprising in the light of his later words and deeds, rendered by Edwards in his *Scientific American* article written only five years ago: "If rabbit and pig eggs can be fertilized after maturation in culture, presumably human eggs grown in culture could also be fertilized, *although obviously it would not be permissible to implant them in a human recipient.* We have therefore attempted to fertilize cultured human eggs *in vitro*" (emphasis added). The last sentence indicates that Edwards had no qualms about the "permissibility" of doing the fertilizations themselves. If taken seriously, the entire quotation displays that curious form of technocratic logic in which a course of action is deduced simply from the possibility of action: "Presumably human eggs can also be fertilized, *therefore* we have tried to fertilize them." Is a similar logic now at work in regard to implantation?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tubes who may want a child, with the ova obtained by culdoscopy or laparoscopy."[6]

The truth is that the risks are very much unknown. Although there have been no reports of gross deformities at birth following successful transfer in mice and in rabbits, the number of animals so far produced in this way is much too small to exclude even a moderate risk of such deformities. In none of the research to date has the question of abnormalities been systematically investigated. No attempts have been made to detect defects which might appear at later times or lesser abnormalities apparent even at birth. In species more closely related to humans, e.g., in primates, successful *in vitro* fertilization has yet to be accomplished. The ability regularly to produce normal monkeys by this method would seem to be a minimum prerequisite for using the procedure in humans.[7]

Laboratory testing of the human embryos themselves, prior to transfer, cannot provide enough information about "normality," and might itself do damage. Ordinary microscopic observation of the early embryo can disclose gross abnormalities, but it provides too crude a measure of normality. Most genetic tests cannot be done on a given embryo without damaging it; morever, there are few genetic tests presently available for the doing. Furthermore, damages could be introduced during the transfer procedure, after the last inspection is completed. Conceivably, the manipulations may even make possible the implantation of some abnormal embryos which would have been spontaneously aborted had they been generated under natural conditions.

---

[6] The tone of the recent scientific articles and the reports of this research in the scientific and popular press suggest to the ordinary reader that a race may be on to do the first embryo transfer. If such a race is on, it is likely that the swift will abandon caution to the more sober, and will trust to luck that his victory in the race does not issue in a deformed or retarded child.

[7] This view is shared by some of the more cautious—and hence, less publicly known—researchers, including Dr. Luigi Mastroianni, chairman of obstetrics and gynecology at the University of Pennsylvania: "It is my feeling that we must be very sure we are able to produce normal young by this method in monkeys before we have the temerity to move ahead in the human." Dr. Mastroianni adds: "In our laboratory, our position is, 'Let's explore the thing thoroughly in monkeys and establish the risk.' Then we can describe that risk to a patient and obtain truly informed consent before going ahead. We must be very careful to use patients well and not be presumptuous with human lives. We must not be just biologic technicians." I would dissent from this fine statement only to suggest that both doctor and prospective parents would be "presumptuous with human lives" in proceeding unless there were known to be no risks. Such confidence cannot be provided by the monkey experiments alone. Monkey experiments would neither rule out nor establish the risk of mental retardation for children resulting from the experiments in humans. Unfortunately, as is often the case, only humans can provide the test system for assessing the risks of using the procedure in humans.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In sum, there is at present no way of finding out in advance whether or not the *viable* progeny of the procedures of *in vitro* fertilization, culture, and transfer of human embryos will be deformed, sterile, or retarded. Even if we would wish to practice abortion on all the misbegotten foetuses, we are not and will not be able to identify (by prenatal diagnosis) many if not most of them. Neither can we count on "nature" to spontaneously abort all of them for us.

I have dwelled at length upon the problem of risks and mishaps that accompany the experimental phase of this new technology, first, because it is a problem widely and remarkably ignored, and, second, because it provides a powerful moral objection sufficient to rebut the implantation experiments. Moreover, this moral objection can and should be widely shared; it does not rest upon arguments about the will of God or about natural right. It rests instead upon that minimal principle of medical practice, "Do No Harm." In these prospective experiments upon the unborn, it is not enough not to know of any grave defects; one needs to know with confidence *that there will be no such defects*—or at least no more than there are without the procedure. Professor Paul Ramsey, in his book *Fabricated Man*, puts the matter quite forcefully and, I think, correctly: "The decisive moral verdict must be that we cannot rightfully *get to know* how to do this without conducting unethical experiments upon the unborn who must be the 'mishaps' (the dead and the retarded ones) through whom we learn how."[8]

It may be objected that all new medical technologies are risky, and that the kind of ethical scrupulosity I advocate would put a halt to medical progress. But such an objection ignores an important distinction. It is one thing voluntarily to accept the risk of a dangerous procedure for yourself (or to consent on behalf of your child) *if the purpose is therapeutic*. Some might say this is not only permissible, but obligatory, in line with a duty to preserve one's own health. It is

---

[8] The matter of mishaps is completely ignored by Edwards and Sharpe (the latter, an American professor of law), in their recent article in *Nature* surveying some of the social and ethical issues attending research in human embryology. Feigning neutrality, these authors reveal their prejudices—and their misconception of medical ethics—when they invoke the principle "Do No Harm" to justify, rather than to oppose, the use of *in vitro* techniques for making babies: "The beginning of medical ethics, however, is *primum non nocere;* this permits alleviation of infertility, and has been stretched to cover destruction of foetuses with hereditary defects, but would it permit the more remote techniques like modifying embryos?" "Do No Harm" is a principle which can only justify *omitting* a medical intervention; it does not permit, let alone justify, committing an intervention. Rightly understood, it can enter medico-moral argument only *in opposition to* risk-filled technologies for making babies.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

quite a different thing deliberately to submit a child to hazardous procedures which can in no way be considered therapeutic for him, and are "therapeutic" for you only in that they "treat" your desires (albeit unobjectionable ones). This argument against non-therapeutic experimentation on children applies with even greater force against experimentation "on" a hypothetical child (whose conception is as yet only intellectual). One cannot ethically choose for him the unknown hazards he must face and simultaneously choose to give him life in which to face them. This judgment could be set aside only under a strongly pro-natalist ethic—much more pro-natalist that Roman Catholicism ever was—which would hold that parents have either a preeminent duty or a preeminent right to have their own biological child by whatever means.

The question of "informed consent"

While on the subject of the ethics of experimentation, let me add a few comments concerning the adult participants. Most of the scientific reports on human embryo experimentation are strangely silent on the nature of the egg donors and on their understanding of what was to be done with their eggs. This is surprising considering the growing sensitivity of the scientific community to the requirement of informed consent, and especially surprising given the kind of experiments here being performed. Who are these women and how did they come to "volunteer"? In the report describing the first successful fertilization and cleavage of human eggs obtained via laparoscopy, there are only several passing references to "patients," and the one-sentence abstract of the paper only increases our confusion by its use of the word "mother": "Human oocytes have been taken from the mother before ovulation, fertilized *in vitro* and grown *in vitro* to the eight- or sixteen-celled stage in various media." If the women were indeed patients for infertility, then "the mother" is surely the one thing that they are not. In the recent *Scientific American* article by Edwards and Fowler there is this solitary comment: "Our patients were childless couples who hoped our research might enable them to have children." We are not told, and can therefore only guess as to what these women were in fact told. From the report that the women and their husbands had hopes, we can surmise that they considered themselves to be *patients*. But for the present, they are *experimental subjects*. One wonders if they were told this.

Only one of the many scientific articles, that describing the use of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the laparoscopic surgery to recover human oocytes, tells us anything more about the persons used as experimental subjects (in this case, for perfecting the laparoscopy technique), and about how they were informed: "The object of the investigations was fully discussed with the patients, including the possible clinical applications to relieve *their* infertility" (emphasis added). Though welcome, this statement leaves many questions unanswered. Were the couples also told that the much more likely possibility was that it would be future infertile women, rather than they themselves, whose infertility might be "relieved"? Were they told about alternative possibilities, such as surgery on the blocked oviduct, or adoption? Since the same article tells us that three out of 46 "infertile" women became pregnant—by the "old," customary method—*during the first month after the laparoscopy,* we can only wonder about the criteria used for subject selection. Were all other possibilities exhausted before bringing these couples into this uncertain program of experimentation? Finally, we are left to wonder how the discussions were conducted, especially in the light of the following quotation attributed to R. G. Edwards: "We tell women with blocked oviducts, 'Your only hope of having a child is to help us. Then maybe we can help you.'" (Remarks made at a scientific meeting in West Berlin, as reported in *Medical World News,* April 4, 1969.)

It is altogether too easy to exploit, even unwittingly, the desires of a childless couple. It would be cruel to generate for them false hopes by inflated publicity of the sort that some of these researchers have promoted. It would be both cruel and unethical falsely to generate hope, for example, by telling women that they themselves, rather than future infertile women, might be helped to have a child, in order to secure their participation in experiments. That this may have already occurred is suggested by the following extract from a news report by Patrick Massey of Reuters:

> Dr. Patrick Steptoe, who heads the team of doctors working on the experiment, disclosed on television that he had extracted an ovum from a 34-year-old housewife and fertilized it with her husband's sperm. The woman, Mrs. Sylvia Allen . . . said *she hoped the fertilized ovum would be implanted in her womb in the next two to six weeks,* meaning that the world's first baby conceived in a test tube could be born by the end of 1970. (Story in *The Washington Post,* March 3, 1970; emphasis added.)

The implantation was never performed.

Let me also raise some questions concerning experimentation done with eggs obtained from women undergoing ovarian surgery for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

clinical reasons. Do and should these women know what is going to be done with their eggs? To whom belong the rights governing ordinary tissue removed at surgery? Is reproductive tissue a special case? Surely, if the eggs were going to be implanted in another woman, one would think that the donor's permission should be obtained. Then what about their simple fertilization? If the woman from whom the eggs are taken has religious or other objections against *in vitro* fertilization which would lead her to refuse permission if asked, is she wronged by not being asked or informed? No matter how worthy the research and how well-intentioned the investigator, *ethical* experimentation on human subjects and their tissues requires that persons be treated as ends and not merely as means, and hence that their wishes be considered and respected.

The case of the surplus embryos

So far, I have discussed ethical questions surrounding attempts to generate a normal child by transferring a laboratory-grown human embryo into the uterus of an infertile woman. But what about all the embryos that are not so implanted? Dr. Donald Gould, editor of the British journal, *The New Scientist*, has asked: "What happens to the embryos which are discarded at the end of the day—washed down the sink? There would necessarily be many. Would this amount to abortion—or to murder? We have no law to cope with this kind of situation."

I don't wish to mislead anyone. At this state of the art, the largest embryo we are talking about is a blastocyst, barely visible to the naked eye. But the moral question does not turn on visibility, any more than it does in the case of murder committed by a blind man. The embryos are clearly biologically alive, even at the blastocyst stage. At some future date, improved techniques will permit their growth to later stages, someday even viable stages. Before then, however, the question of discarding will have to be faced. Since there is a continuity of development between the early and the later stages, we had better face the question now and draw whatever lines need to be drawn.

When in the course of development does a living human embryo acquire *protectable humanity?* This is a familiar question which I shall not belabor. But the situation here, though similar, is not identical to that of abortion. For one thing, we don't start with a foetus already *in utero*, which one reluctantly destroys, hopefully only for good reasons. Here, nascent lives are being deliberately created

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

despite certain knowledge that many of them will be destroyed or discarded. (Several eggs are taken for fertilization from each woman, the extra ones being available for experimentation). The foetuses killed in abortion are unwanted, usually the result of so-called accidental conception. The embryos discarded here are wanted, at least for a while; they are deliberately created, used for a time, and then deliberately destroyed. Moreover, unlike abortion, the continued life of the laboratory embryo is in conflict with no one; no claim or right of its "mother" can be invoked to justify overriding its claim or right to life. Even if there is no intrinsic wrong done by discarding at the blastocyst stage—and I am undecided on this question—there certainly would be at later stages. (Those who disagree should at least be concerned about the effects on the attitude toward and respect for human life engendered in persons who are engaged in these practices.)

There is a second, related difference between abortion and discarding laboratory-grown embryos. Who decides what are the grounds for discard? What if there is another recipient available who wishes to have the otherwise unwanted embryo? Whose embryos are they? The woman's? The couple's? The geneticist's? The obstetrican's? The Ford Foundation's? If one justifies abortion on a paramount right of the woman to decide about her family size and spacing, or even on that unbelievable ground that a woman has a paramount right to do what she wishes with her body,[9] whose rights are paramount here? Shall we say that discarding laboratory-grown embryos is a matter solely between a doctor and his plumber?

But the unimplanted embryos raise even more profound problems. Bad as it may be to discard them, it would be far worse to perpetuate them in their laboratory existence—especially when the technology arrives that can bring them to "viability" *in vitro*. Will they then still be considered fit material for experimentation? Or are they then to be released from the machinery and admitted into the human fraternity or, at least, into the premature nursery? Who will the children be, and who their parents, and what their social definition? The need for a respectable boundary "defining" protectable human life can not be overstated. The current boundaries, gerrymandered for the

[9] Even if such a right exists, it does not govern actions involving the foetus, because the foetus is simply not a mere part of a woman's body. One need only consider whether a woman can ethically take thalidomide while pregnant to see that this is so. It is distressing that seemingly intelligent people would sincerely look upon a foetus whose heart was beating, and which had its own EEG, as indistinguishable from a tumor of the uterus, a wart on the nose, or hamburger in the stomach.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sake of abortion—namely, birth or viability—may now satisfy both Women's Liberation and the United Methodists, and may someday satisfy even a future pope, but they will not survive the coming of more sophisticated technologies for making babies.

One thing leads to another

Having discussed so far only one serious moral objection to *implantation* of embryos and having raised some questions about the *discarding* and *perpetuation* of unimplanted ones (and deliberately neglecting the ethics of *creating* the embryos in the first place), I suspect that I have persuaded no one not originally opposed to, or, at least, doubtful about, *in vitro* fertilization. Furthermore, the first objection may become a vanishing objection. Since the experimentation will in all likelihood proceed, the problem of risks and mishaps may eventually be eliminated as the technique is perfected. The discarding issue will hardly get a fresh hearing in a society which has so recently converted to foeticide.[10] Moreover, apart from these questions I can find no *intrinsic* moral reason to reject the intramarital use of *in vitro* fertilization and implantation—at least no reason that would not also rule against artificial insemination (husband). But the argument does not stop here, for we must consider both the likely other uses and abuses of this procedure, and also the other and more objectionable procedures that this one makes possible.

Some may object to my making an argument based upon likely or possible misuses and abuses. After all, there are few if any powers, technological and non-technological, that cannot be abused. Many of us would prefer arguments from principle concerning intrinsic rightness or wrongness, arguments that abstract from the difficult task of predicting and of weighing consequences, often quite remote and intangible ones. Nevertheless, we can ill afford such intellectual purism, especially for technologies that touch the foundations of man's biological nature. No technology exists autonomously or in isolation; each arises in the context of other technologies and, more importantly, in a complex and heterogeneous world of men whose proclivity for mischief and folly we cannot in good conscience ignore. We would ourselves display such folly were we to

[10] Some may object to my use of the term foeticide, but I am opposed to hiding behind euphemisms. If we are going to be brave enough to practice abortion, let us at least not be cowardly in describing it. Even if foeticide were made legal everywhere, and even if it were morally justified, it would still be killing (though not necessarily murder, which is "wrongful killing").

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

justify the introduction of each new technology simply because *some* good use can be found for it.[11]

Once introduced for the purpose of treating intramarital infertility, *in vitro* fertilization can then be used for any purpose. There is no reason why the embryo need be implanted in the same woman from whom the egg was obtained. An egg taken from one woman (the biological mother) could be donated to another woman (the gestational mother), either before or after fertilization—the former has been termed "artificial inovulation (donor)," the latter, "embryo transfer (donor)" or "prenatal adoption." Since obtaining eggs for donation is more difficult than obtaining sperm, and requires surgery on the donor, this might not seem a likely occurrence except on a small scale. However, procedures for freezing and storing eggs or young embryos will circumvent this program. (In the past six months, a method has been reported for freezing and storing mouse embryos, with little loss of viability on thawing.) Egg and embryo banks will almost certainly be established—as are sperm banks today—partly to avoid having to do repeated operations on the same woman, and also because there is money to be made. Indeed, enterprising financiers and scientists, with the blessing of the new techno-theologians, are perhaps at present organizing under one corporate canopy, The Chaste Rational Bank and Union: The Logical Semenary.

There are enough women whose infertility is due to reasons other than blocked oviducts to make it extremely likely that donation of eggs and embryos will be attempted, i.e., that the technique will not be confined to those intramarital cases in which it was first used. Clinical use of *in vitro* fertilization will probably rely mainly on donor eggs in a manner closely analogous to donor insemination. And why stop at couples? What about single women, widows, or lesbians? If adoption agencies now permit these women to adopt, are they likely to be denied a chance to bear and deliver?

The converse possibility will also follow, namely the use of one woman simply to incubate and deliver another woman's child. If the previous practice might lead to new business ventures advertised under "eggs for sale," this practice might lead to one advertised under "wombs for rent." Women with uterine abnormalities which preclude normal pregnancy may seek surrogate gestational mothers,

---

[11] I doubt if many readers would find acceptable as a reason sufficient to justify the development of chemical and biological weaponry the fact that it may be more humane to use non-lethal gas on an enemy soldier than to kill him, without first asking whether we can foreclose the further consequences to human civilization and the human race of introducing such military technology.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as may women who don't want pregnancy to interfere with the skiing season. There are certainly enough poor women available to form a caste of childbearers, especially for good pay. The public is already being introduced to this prospect, as the following excerpt from a *Washington Post* news story indicates: "A prominent British embryologist, Dr. Jack Cohen, suggested that the process of impregnation, once perfected, might lead to a system of volunteer 'host' mothers, who would bear other people's children for a fee. Cohen suggested that 2,000 pounds ($5,000) a birth might be a reasonable sum, especially for an actress eager for the joys of motherhood without the cares of interrupting her career or distending her figure during pregnancy."

The more sentimentally minded will point out that these twin forms of foster pregnancy can be humanely and respectfully practiced. A woman may wish to donate an egg or an embryo to her sister, or may agree out of generosity to gestate a friend's embryo. It can be argued that no one should stand in the way of such acts of love.[12] But it is simply naive to think the practice would be limited to these more "innocent" cases. Moreover, there are psychological and ethical reasons for thinking that these cases may not be so innocent. What are the psychological consequences for the womb-lending sister (and the others) of giving birth to her nephew? Will she feel like giving him up? Whose child is he? Confusion and conflict would seem to be almost inevitable. If the donor of sperm has no claim over a child born after artificial insemination, why should the donor of ova, especially if there is a later dispute between the two women? These acts of love cannot be kept anonymous; the visible and continued presence of the progeny might chronically stimulate such conflict. Also, might not female relatives be under intolerable pressures to donate eggs or to lend wombs, once the first such acts of "kindness" are well publicized (just as relatives now often feel constrained to serve as transplantation donors of kidneys)? And is a person morally justified in allowing her body to be used as a "hot house," as a human incubator? Indeed, is not a decisive

[12] The current sentimentality which endorses all acts done lovingly because lovingly done leads to some strange judgments. A teacher friend recently asked one student who was having difficulty appreciating the crimes of Oedipus, what she would think if she discovered that her sister was having an affair with their father. The girl replied that, although she was personally disgusted by the prospect for herself, she thought that there was probably nothing wrong with it "provided that they [sister and father] had a good relationship." It is unlikely that an individual or a whole society that is unable to find reasons (other than genetic ones) for rejecting incest will be willing to appreciate any of the questions raised in this paper.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

objection to the extramarital use of these techniques that it requires and fosters, both in thought and in deed, the exploitation of women and their bodies? And is not a second decisive objection that it fosters the notion that children are property, and encourages the practice of child buying and selling? (The further question concerning the separation of procreation from sexual love and marriage will be treated later.)

Use of these technologies need not be confined—nor is it likely to be confined—to the scale of individual couples making private decisions, nor to treatment of infertility. Indeed, several proposals for additional uses have already been placed before the public. As suggested in these proposals, and as I noted at the start, these techniques could serve eugenic purposes. Artificial insemination with semen from selected donors, the (positive) eugenic proposal of Herman Muller, could now be supplemented with the selection of ova as well. For many people, these prospects raise the fear of directed breeding programs under the dictates of a totalitarian regime. Such programs need not be coercive, since the desired donors of egg and sperm, as well as the foster mothers of the regime, might be handsomely paid and highly honored. But, perhaps perversely, in a time when suspicion and fear of governmental abuse of power are high and growing, I am not very worried about government-directed breeding by these methods. The eugenic advantages of this method, if there are any, are also available—and more cheaply too—simply by directed sexual intercourse. A regime could more easily compel or induce this less troublesome, more enjoyable practice. While those who hold to the demonic theory of politics may think me naive, I expect that artificial fertilization and embryo culture would add very little to the already large arsenal of those who would practice mischief and evil.

We stand in much greater danger from the well-wishers of mankind, for folly is much harder to detect than wickedness. The most serious danger from the widespread use of these techniques will stem, not from desires to breed a super-race, but rather from the growing campaign to prevent the birth of all defective children, in the name of population control, "quality of life," and the so-called "right of every child to be born with a sound physical and mental constitution, based on a sound genotype." Thus continues the retiring (but not reticent) President of the American Association for the Advancement of Science, geneticist Bentley Glass, in his presidential address (1971): "No parents will in that future time have a right to burden society with a malformed or a mentally incompetent

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

child." These are not the words of a dictator, but of a gentle biologist. Even granting the desirability of his end—optimum children of no burden to society (except from their "perfection")—just consider what it would require in the way of means. This perfect condition is to be accomplished not by infanticide, not just by prenatal diagnosis and abortion of defectives, but by the laboratory growth and implantation of human embryos:

> The way is thus clear to performing what I have called 'prenatal adoption,' for not only might the selected embryos be implanted in the uterus of the woman who supplied the oocytes, but in that of any woman at the appropriate time of her menstrual cycle. Edwards cautiously limits the application of his developing techniques to the provision of a healthy embryo for a woman whose oviducts are blocked and prevent descent of the egg. It should be obvious that the technique can be quickly and widely extended. The embryos produced in the laboratory might come from selected genotypes, both male and female. Preservation of spermatozoa in deep frozen condition could permit a high degree of selectivity among the sperm donors, who so far have been limited to the husbands of the women donors of the oocytes. Sex determination of the embryos is possible before implantation; and embryos with abnormal chromosome constitutions can be discarded. By checking the sperm and egg donors with a battery of biochemical tests, matching of carriers of the same defective gene can be avoided, or the defective embryos can themselves be detected and discarded.

I leave it to the reader to consider the ethical, social, legal, and political implications of Professor Glass's proposal, and to elaborate his own favorite objections. My point here is simply to show that even before Edwards or Shettles opens Pandora's box, there are well-meaning, decent men already at work to find good uses for its contents.

A similar camel's-nose-under-the-tent argument was advanced by opponents of artificial insemination. Ironically, some of the same people who made light of these arguments in defending artificial insemination are now defending the camel's neck while again dismissing the camel's nose argument. It is true that the practice of artificial insemination has thus far been confined to the treatment of infertility, and has not, to my knowledge, been malevolently, despotically, or even frivolously used. But I am no longer talking about the problem of misuse or abuse of a given technique, but rather about the fact that one technical advance makes possible the next, and in more than one respect. The first serves as a precedent for the second, the second for the third—not just technologically, but also in moral arguments. At least one good humanitarian ground can be found to justify each step. For

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

these reasons, we must try to see more than a few feet in front of us before we set forth.

It was this kind of foresight which prompted Professor James D. Watson, co-discoverer of the structure of DNA, to bring before the public his concern over one technological prospect, the cloning of human beings, which Edwards's work makes very much more possible. In his very sober and careful testimony (before the Panel on Science and Technology, Committee on Science and Astronautics, United States House of Representatives), Professor Watson concluded a discussion of the work on *in vitro* fertilization as follows:

> Some very hard decisions may soon be upon us. For it is not obvious that the vague potential of abhorrent misuse should weigh more strongly than the unhappiness which thousands of married couples feel when they are unable to have their own children. Different societies are likely to view the matter differently and it would be surprising if all come to the same conclusion. We must, therefore, assume that techniques for the *in vitro* manipulation of human eggs are likely to be general medical practice, capable of routine performance throughout the world within some ten to twenty years.
>
> The situation would then be ripe for extensive efforts, either legal or illegal, at human cloning. . . .
>
> Moreover, given the widespread development of the safe clinical procedures for handling human eggs, cloning experiments would not be prohibitively expensive. They need not be restricted to the super-powers —medium-sized, if not minor countries, all now possess the resources needed for eventual success. There furthermore need not exist the coercion of a totalitarian state to provide the surrogate mothers. There already are such widespread divergences as to the sacredness of the act of human reproduction that the boring meaninglessness of the lives of many women would be sufficient cause for their willingness to participate in such experimentation, be it legal or illegal. Thus, if the matter proceeds in its current nondirected fashion, a human being—born of clonal reproduction—most likely will appear on the earth within the next twenty to fifty years, and conceivably even sooner, if some nation actively promotes the venture.

I now turn to consider this second new method for making babies, asexual reproduction, or cloning.[13]

Cloning, or asexual reproduction—state of the art

In genetic terms, asexual reproduction is distinguished from sexual reproduction (whether practiced in bed or in the test tube) by the

[13] The discussion which follows is adapted from another essay, devoted entirely to cloning, entitled "Freedom, Coercion and Asexual Reproduction," which will appear in *Freedom, Coercion, and the Life Sciences*, edited by Daniel Callahan and Leon R. Kass (to be published by the Harvard University Press in 1972).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

following two characteristics: The new individuals are, first, derived from a single parent, and second, are genetically identical to—are identical twins of—that parent. Asexual reproduction occurs widely in nature, and is the normal mode of reproduction of bacteria, many plants, and some lower animals. By means of a technique known as nuclear transplantation (also called nuclear transfer), experimental biologists have artificially achieved the asexual reproduction of organisms which naturally reproduce only sexually (so far, frogs, salamanders, fruit flies). The procedure is conceptually simple. The nucleus of a mature but unfertilized egg is removed (by microsurgery or by irradiation), and replaced by a nucleus obtained from a specialized somatic cell of an adult organism (e.g., an intestinal cell or a skin cell). Since almost all the hereditary material (DNA) of a cell is contained within its nucleus, the renucleated egg and the individual into which it develops are genetically identical to the organism which was the source of the transferred nucleus. Thus, the origin of the new individual is not the chance union of egg and sperm, with the generation of a new and unique genetic arrangement or genotype, but rather the contrived perpetuation into another generation of an already existing genotype.

An unlimited number of identical individuals, all generated asexually from a single parent—that is, a clone—could be produced by nuclear transplantation. An adult organism comprises many millions of cells, all genetically identical, each a potential source of a nucleus for cloning. In addition, techniques for storage and subsequent laboratory culture of animal tissues permit the preservation and propagation of cells long after the deaths of the bodies from which they were removed. There would thus be the possibility of a virtually unlimited supply of genetically identical nuclei for cloning.

The extension of nuclear transplantation to mammals has not yet been achieved, although several people have been trying for a few years. The difficulties are technical; there is no *theoretical* reason to believe that clonal reproduction is not possible in mammals, including man. The technical problems when this work began included the following: (1) obtaining of mature mammalian eggs; (2) removal of the egg nucleus; (3) insertion of the donor nucleus; (4) transfer and implantation of the renucleated egg into the uterus of a female at the right stage in her menstrual cycle. As a result of the work on *in vitro* fertilization, the first and fourth problems have been solved for rabbits and mice, and will be solved for humans when and if Edwards or someone else succeeds. Recently,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

chemical methods have been perfected to remove the nucleus from mammalian cells in tissue culture, methods which can probably be used to enucleate egg cells. The only serious difficulty which remains is the introduction of the donor nucleus. And this difficulty may also be short-lived, since there are now very simple methods for fusing almost any two cells to produce a single cell containing the combined genetic material of both original cells. Fusion of an enucleated egg cell with a cell containing the donor nucleus might provide the method for getting the nucleus into the egg. In fact, Dr. Christopher Graham at Oxford has already succeeded in fusing mouse eggs with adult mouse cells. The fused egg divides several times but has thus far not gone on to form a blastocyst. Given the rate at which the other technical obstacles have fallen, and given the increasing number of competent people entering the field of experimental embryology, it is reasonable to expect the birth of the first cloned mammal sometime in the next few years. This will almost certainly be followed by a rush to develop cloning for other animals, especially livestock, in order to propagate in perpetuity the champion meat or milk producers.

With the human embryo culture and implantation technologies being perfected in parallel, the step to the first clonal man might require only a few additional years. Within our lifetime, possibly even as early as 1980, it may be technically feasible to clone a human being.

Among sensible men, the ability to clone a man would not be sufficient reason for doing so. Nevertheless, the apologists and the titillators have been at work, and the laundry list of possible applications keeps growing, in anticipation of the perfected technology: (1) Replication of individuals of great genius or great beauty to improve the species or to make life more pleasant. (2) Replication of the healthy to bypass the risk of genetic disease contained in the lottery of sexual recombination. (3) Provision of large sets of genetically identical humans for scientific studies on the relative importance of nature and nurture for various aspects of human performance. (4) Provision of a child to an infertile couple. (5) Provision of a child with a genotype of one's own choosing—of someone famous, of a departed loved one, of one's spouse or oneself. (6) Control of the sex of future children (the sex of a cloned offspring is the same as that of the adult from whom the donor nucleus was taken). (7) Production of sets of identical persons to perform special occupations in peace and war (not excluding espionage). (8) Production of embryonic replicas of each person, to be frozen

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

away until needed as a source of organs for transplantation to their genetically identical twin. (9) To beat the Russians and the Chinese, and thus to prevent a "cloning gap."

Cloning—some ethical questions

Some of the ethical and social questions raised in connection with *in vitro* fertilization apply also to cloning: questions of experimenting upon the unborn, discarding of embryos, problems of misuse and abuse of power, questions concerning the camel and the tent. I will not repeat what has gone before, except to call special attention to the point about the ethics of experimentation. A significant number of grossly abnormal creatures has resulted from the frog experiments, and there is no reason to be more optimistic about the early attempts in humans. If the attempts to clone a man result in the production of a defective "product," who will or should care for it, and what status and rights will it have? If the offspring is subhuman, are we to consider it murder to destroy it? The twin issues of the production and disposition of defectives provide sufficient moral grounds for rebutting any first attempt to clone a man. Again, there is no ethical way for us to get to know whether or not human cloning is feasible.

There are, however, other questions which apply specifically to cloning and not to the techniques discussed earlier. Among the most important are questions concerning identity and individuality. One problem can be illustrated by exploiting the ambiguity of the word "identity": The cloned person may experience serious concerns about his identity (distinctiveness) because his genotype, and hence his appearance, stand in a relationship of identity (sameness) to another human being.

The natural occurrence of identical twins in no way weakens the argument against the artificial production of identical humans; there are many things which occur accidentally that ought not to be done deliberately. In fact, the problem of identity faced by identical twins should instruct us and enable us to recognize how much greater the problem might be for someone who was the "child" (or "father") of his twin. I cannot improve upon Paul Ramsey's reflections on this subject:

> Growing up as a twin is difficult enough anyway; one's struggle for selfhood and identity must be against the very human being for whom no doubt there is also the greatest sympathy. Who then would want to be the son or daughter of his twin? To mix the parental and the twin

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

relation might well be psychologically disastrous for the young. Or to look at it from the point of view of parents, it is an awful enough responsibility to be the parent of a son or daughter as things now are. Our children begin with a unique genetic independence of us, analogous to the personal independence that sooner or later will have to be granted them or wrested from us. For us to choose to replicate ourselves in them, to make ourselves the foreknowers and creators of every one of their genetic predispositions, might well prove to be a psychologically and personally unendurable undertaking. For an elder to teach his "infant copy" is a repellent idea not because of the strangeness of it, but because we are altogether too familiar with the problems this would exponentially make more difficult.

Perhaps this issue can be pressed even farther, beyond such concerns for undesirable psychological consequences. Does it make sense to say that each person has a right not to be deliberately denied a unique genotype? Is one inherently injured by having been made the copy of another human being, independent of *which* human being? We should not be deterred by the strangeness of these questions, a strangeness due largely to the fact that the problem could not have arisen before.

Central to this matter is the idea of the dignity and worth of each human being. The question we must ask is this: Is individual dignity undermined by a lack of genetic distinctiveness? One might argue, on the contrary, that indistinctiveness in appearance and capacity might produce a greater incentive to be distinctive in deed and accomplishment. Certainly the latter are more germane to any measure of individual worth and self-esteem than the former. On the other hand, our personal appearance is, at the very least, symbolic of our individuality. Differences in personal appearance, genetically determined, reinforce (if not make possible) our sense of self, and hence lend support to the feelings of individual worth we seek in ourselves and from others. Some put it more strongly and argue that a man not only *has* a body, but *is* his body. By this argument, a man's distinctive countenance not only makes possible his sense of self, but is in fact at one with that self. Membership in a clone numbering five to ten would no doubt threaten one's sense of self; membership in a clone of two might also. To answer the question posed above: We may *not* be entitled, in principle, to a unique genotype, but we *are* entitled not to have deliberately weakened the necessary supports for a worthy life. Genetic distinctiveness would seem to me to be one such support.

A second and related problem of identity and individuality is this: The cloned individual is not simply denied genetic distinctive-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ness; he is saddled with a genotype that has already lived. He will not be fully a surprise to the world; people are likely always to compare his performance in life with that of his alter ego. He may also be burdened by knowledge of his precursor's life history. Imagine living with the knowledge that the person from whom you were cloned had subsequently developed schizophrenia or suffered multiple heart attacks before the age of 40. For these reasons, the cloned individual's belief in the openness of his own future may be undermined, and with it, his freedom to be himself. Ignorance of what lies ahead is a source of hope to the miserable, a spur to the talented, a necessary support for a tolerable—let alone worthy—life for all.

But is the cloned individual's future really determinable or determined? After all, only his genotype has been determined; it is true that his environment will exert considerable influence on who and what he becomes. However, isn't it likely that the "parents" will seek to manipulate and control the environment as well, in an attempt to reproduce the person who was copied? For example, if a couple decided to clone a Rubinstein,[14] is there any doubt that early in life young Artur would be deposited at the piano and "encouraged" to play? It would not matter to the "parents" that the environment in which the true Rubinstein blossomed can never be reproduced or even approximated. Nor would it matter that no one knows what is responsible for the development of genius, or even for the appearance of ordinary talents and traits for which other people might have elected to clone. Such ignorance would not deter the "parents." Why else did they clone young Artur in the first place?[15]

Thus, although the cloned individual's future is probably not determinable according to his "parents'" wishes, enough damage is done by leading him to believe otherwise and by their believing otherwise. His own potential will in all likelihood be stunted and his outlook warped as he is forced into a mold he neither fits nor wants. True, some parents are already guilty of the same crime, but many more are

---

[14] Frequently mentioned candidates for cloning are musicians and mathematicians, such as Mozart, Newton, and Einstein, whose genius is presumed to have a large genetic component. But all such suggestions ignore the wishes of these men. I suspect that none of them would consent to having themselves replicated. Indeed, should we not assert as a principle that any so-called great man who *did* consent to be cloned should on that basis be disqualified, as possessing too high an opinion of himself and of his genes? Can we stand an increase in arrogance?

[15] These reasons make it clear that it will probably prove impossible to keep the knowledge of his origin from the child, especially in the early cases when the geneticist's need to claim credit for his success will also be a factor.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

restrained by their impotence in determining the raw material. The opportunity to clone would not only remove this restraint, but would openly invite and encourage more outrageous efforts to shape our children after our own desires.

Although these arguments would apply with even greater force to any large scale efforts at human cloning, I find them sufficient to reject even the first attempts at human cloning. It cannot be repeated too often that these are human beings upon whom these eugenic or merely playful visions (shall I say hallucinations?) are to be worked.

Thus far, I have dealt separately with two technological prospects —one now upon us, the other on the horizon and fast approaching— in an effort to reason about and evaluate each piece of technology one at a time. I have been at pains to analyze the morally relevant features of each, in order to show that real and important distinctions can and should be drawn among different technologies, that the practice of one should not *ipso facto* justify the introduction of another. I am far more concerned that this approach be found reasonable and useful than that of any of my specific arguments be found convincing.

Yet despite its practical utility, this piece-by-piece approach has grave deficiencies. It ignores the great wave upon which each of these techniques is but a ripple. All of the new technologies arise from and are part of the great project of modernity, the "conquest of nature for the relief of man's estate." They go beyond many earlier techniques in that they seek to relieve man's estate by directly changing man himself. We must therefore raise some broader questions concerning this project as these questions arise in connection with the technologies discussed above. Here, I am far more concerned that my arguments be found convincing than that they be found useful.

Questions of power

Though philosophically debatable, the Baconian principle "knowledge is power" is certainly correct when applied to that knowledge which has been sought under that principle. The knowledge of how to begin human life in new ways is a human power to do so. But the power rests only metaphorically with humankind; it rests in fact with particular men—geneticists, embryologists, obstetricians. The triumphant proclamation of "man's" growing power over nature obscures the troublesome reality that it is individual men who wield

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

power. What we really mean by "man's power over nature" is a power exercised by some men over other men with the knowledge of nature as their instrument.

While applicable to technology in general, these reflections are especially pertinent to the technologies of human reproduction and genetic manipulation with which men deliberately exercise power over future generations. Ultimately, as C. S. Lewis points out in *The Abolition of Man,*

> If any one age really attains, by eugenics and scientific education, the power to make its descendants what it pleases, all men who live after it are patients of that power. They are weaker, not stronger: For though we may have put wonderful machines in their hands we have preordained how they are to use them. . . . The real picture is that of one dominant age . . . which resists all previous ages most successfully and dominates all subsequent ages most irresistibly, and thus is the real master of the human species. But even within this master generation (itself an infinitesimal minority of the species) the power will be exercised by a minority smaller still. Man's conquest of nature, if the dreams of the scientific planners are realized, means the rule of a few hundreds of men over billions upon billions of men. There neither is nor can there be any simple increase in power on man's side. Each new power won *by* man is a power *over* man as well.

Please observe that I am not yet speaking about the problem of the misuse and abuse of power. My point is rather that the power which grows is willy-nilly the power of only some men, and that the number of these powerful men tends to grow fewer and fewer as the power increases.

I suggest that this is also true with respect to our topic. Recall that there is a new partner in these new procedures for making babies—the scientist-physician. The obstetrician is no longer just the midwife, but also the sower of seed. Even in the treatment of intramarital infertility, the scientist-physician who employs *in vitro* fertilization and laboratory culture of human embryos has acquired far greater power over human life than his colleague who simply repairs the obstructed oviduct. He presides over many creations in many patients. And once he goes beyond the bounds of marriage, he is not simply the Fertilizer General but the Matchmaker as well —as in the practice of artificial insemination (donor), where a small number of physicians have already arranged for the fathering of several hundred thousand children, many of them, nepotistically, by their professional offspring, the medical students. I am not at present questioning this practice; my point is rather to illustrate how the new technologies lead to the concentration of power.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Both a cause and an effect of the growing power of biomedical technologists is the growing complexity of scientific knowledge, and the related fragmentation of disciplines and extreme specialization of their practitioners. Science understands and explains the world in ideas and language which the layman cannot understand. I am not speaking now about the problem of jargon, but rather about a more fundamental matter. The phenomena of nature as they present themselves to us in ordinary experience are understood by the scientist in terms of abstract concepts such as molecules and genes, and ultimately in terms of mathematical formulae. This is to the layman a new cabala, but a cabala with a difference, a cabala that can create new life in test tubes and can send men to the moon. Small wonder that the scientists and technologists have become for many people the new priesthood.[16]

Because this new priesthood has promised its rewards here on earth, it faces perhaps a heavier responsibility—especially when it fails to deliver. The public has acquired high expectations for technology, from which impatience and frustration are easily bred. This point has been surprisingly overlooked, but I think this is what is meant every time someone starts to complain, "Well, if they can put a man on the moon, why can't they . . .?" Given this general disposition with regard to science and technology, is it not likely that the expectations of an infertile couple will be much higher for any baby given them by the rationalized, disinfected procedures of the laboratory, than for a baby born in the usual way and obtained via adoption? Even with adequate warnings, it will be hard to get the science-worshipping patient to face the reality of possible disastrous outcome. Imagine the heartache, and then the outcry, if the child conceived *in vitro* turns out to be hemophiliac or retarded (even for reasons unrelated to the use of the procedure). On this ground alone, prudence dictates caution.

The problem of the specific abuses of specific powers cannot be overlooked. However, because it is more widely appreciated, I will

---

[16] At a recent meeting, scientists were summarizing for a group of educated laymen the current state of knowledge in human genetics and the promising fields for the future. At the conclusion of a summary of studies on mutation, a woman rose in the audience to ask about the meaning of one of the findings for the chance of her having an abnormal child. The answer came back that the matter was complicated, involving some function of "one over the square root of the mean." The woman seated herself with a look of bewilderment on her face, but shaking her head affirmatively, "Amen."

There is of course a revolt in progress against this new priesthood, but primarily because it has been selling indulgences to the Pentagon or because its blessings are not biodegradable. Very few are questioning the intellectual foundations of the modern scientific conception of the world.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

spend little time on it. It is sufficient merely to mention the prospects of involuntary breeding programs, the cloning of tyrants, and the production of whole cadres of "gammas" and "deltas" to handle the onerous tasks of an advanced civilization, or the more modest abuses of cloning quintuplets for the circus, for five complete sets of spare organs, or for partners in crime who can always have an alibi. Nevertheless, while events which have occurred in our lifetime should warn us not to dismiss these possibilities, I think we have greater reason to be concerned about the private, well-intentioned, and voluntary use of the new technologies. The major problem to be feared is not tyranny but voluntary dehumanization.

Questions of dehumanization

Human procreation not only issues new human beings; it is itself a human activity (an activity of embodied men and women). The new forms of baby making discussed earlier represent in themselves a radical change in human procreation as a human activity. As already noted, the new beginnings occur in a new locus, the laboratory, and involve a new partner, the scientist. Moreover, the techniques which at first serve merely to provide a child to a childless couple will soon be used to exert control over the quality of the child. A new image of human procreation has been conceived, and a new "scientific" obstetrics will usher it into existence. As one obstetrician put it at a recent conference, "The business of obstetrics is to produce *optimum* babies." The price to be paid for this optimum baby is the transfer of procreation from the home to the laboratory, and its coincident transformation into manufacture. Increasing control over the product is purchased by the increasing depersonalization of the process. (In this continuum, artificial insemination represented the first step.) Perhaps for some techniques used for some purposes, e.g., artificial insemination (husband) to circumvent infertility, the benefits outweigh the costs. But let us not say that there are not costs. The complete depersonalization of procreation (possible with the development of an artificial placenta), and its surrender to the demands of the calculating will, would be in themselves seriously dehumanizing no matter how "optimum" the product.

Human procreation is not simply an activity of our rational wills. Men and women are embodied as well as desiring and calculating creatures. It is for the gods to create in thought and by fiat ("Let the earth bring forth . . ."). And some future race of demigods (or

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

demimen) may obtain its survivors from the local fertilization and decanting station. But *human* procreation is begetting. It is a more complete human activity precisely because it engages us bodily and spiritually, as well as rationally. Is there possibly some wisdom in that mystery of nature which joins the pleasure of sex, the communication of love, and the desire for children in the very activity by which we continue the chain of human existence? Is biological parenthood a built-in "device" selected to promote the adequate caring for posterity? Before we embark on new modes of reproduction, we should consider the meaning of the union between sex, love, and procreation, and the meaning and consequences of its cleavage.

My point is almost certain to be misunderstood. I am not suggesting that one can be truly human only by engaging in procreation. I think there is a clear need for curtailing procreation, and have no objections to the use of any and all contraceptive devices. I am not suggesting that there is something inhuman about adopting children instead of getting them through the pelvis, nor do I think that the most distinctively human activities center in the groin. My point is simply this: There are more and less human ways of bringing a child into the world. I am arguing that the laboratory production of human beings is no longer *human* procreation, that making babies in laboratories—even "perfect" babies—means a degradation of parenthood.

There will be some who object to my calling the new technologies forms of manufacture. I mean "manufacture" in quite a literal sense —*hand made*. It matters not whether we are talking about small- or large-scale manufacture. With *in vitro* fertilization, the natural process of generating becomes the artificial process of making. In the case of cloning, the artistry is taken one step further. Not only is the process *in hand*, but the total genetic blueprint of the cloned offspring is selected and determined by the human artisan. To be sure, the subsequent development is still according to natural processes, and no so-called laws of nature have been or can be violated. What has been violated, even if only slightly, is the distinction between the natural and the artificial, and at its very root, the nature of man himself. For man is the watershed that divides the world of the familiar into those things which belong to nature and those things which are made by men. *To lay one's hands on human generation is to take a major step toward making man himself simply another one of the man-made things.* Thus, human nature becomes simply the last part of nature which is to succumb to the modern techno-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

logical project, a project which has already turned the rest of nature into raw material at human disposal, to be homogenized by our rationalized technique according to the artistic conventions of the day.

The family: a final solution?

If the depersonalization of the process of reproduction and its separation from human sexuality dehumanize the activity which brings new life, and if the manufacture of human life threatens its humanness, both together add up to yet another assault on the existence of marriage and the human family. Sex is now comfortably at home outside of marriage; child rearing is progressively being turned over to other institutions: the state, the schools, the mass media, the child-care centers. Transfer of procreation to the laboratory undermines the justification and support which biological parenthood gives to the monogamous (or even polygamous) marriage. Cloning adds an additional, more specific, and more fundamental threat: The technique renders males obsolete. All it requires are human eggs, nuclei, and (for the time being) uteri. All three can be supplied by women.

Curiously, both those who welcome and those who fear the new technologies for making babies agree that they will pose serious threats to marriage and the family. Indeed, one of the reasons, not always explicitly admitted, that the new technologies are endorsed in some quarters is precisely that they will help lay these institutions to rest. The congregation of deliberate family wreckers includes persons eager to remove all restraints from human sexuality or to render obsolete the biological differences between the sexes, others who see the destruction of marriage as a needed step in limiting population growth, and yet others who find the modern nuclear family a stifling and harmful institution for education and child rearing. I will not deny that the modern nuclear family shows signs of cracking under various pressures. It may have intrinsic limitations which make it seem, even at best, ill-fitted for modern technological society. But perhaps this should be viewed as a problem of modern technological society rather than of the family. We really ought to be less frivolous and journalistic in discussing such matters, and should keep in mind the essential question: Are we to accept as desirable the final solution which eliminates biological kinship from the foundation of social organization? Yes, laboratory and governmental alternatives could be devised for procreation and child bearing. But at what cost? How much stunting of our humanity

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

would result from the totalitarian orientation that these alternatives require and foster?

Some of the important virtues of the family are, nowadays, too often overlooked. The family is rapidly becoming the only institution in an increasingly impersonal world where each person is loved not for what he does or makes, but simply because he is. The family is also the institution where most of us, both as children and as parents, acquire a sense of continuity with the past and a sense of commitment to the future. Without the family, most of us would have little incentive to take an interest in anything after our own deaths. It would be a just irony if programs of cloning or laboratory-controlled reproduction to improve the genetic constitutions of future generations were to undermine the very institution which teaches us concern for the future. These observations suggest to me that the elimination of the family would weaken ties to past and present, and would throw us even more on the mercy of an impersonal, lonely present. The burden of proof should fall upon those believing our humanness could survive even if the biological family does not.

Dehumanizing the scientist

Finally, there may well be a dehumanizing effect on the scientist himself, and through him, on all of us. The men who are at work on new beginnings in life are out to subdue one of the most magnificent mysteries, the mystery of birth and renewal. To some extent, the mystery has already been subdued. Those who do *in vitro* fertilization are in the business of initiating new life. To the extent that they feel that there is nothing unusual or awesome in what they are doing, to that extent they have already lost the appreciation of mystery, the sense of wonder. The same can be said of the heart surgeon who sees the heart simply as a pump, the brain surgeon who sees the brain simply as a computer, or the pathologist who sees the corpse simply as a body containing demonstrable pathology. The sense of mystery and awe I am speaking of is demonstrated by most medical students on their first encounter with a cadaver in the gross anatomy laboratory. Their uncomfortable feeling is more than squeamishness. It is a deep recognition, no matter how inarticulate, that it is the mortal remains of a human being in which they are to be digging; ultimately it is a recognition of the mysterious phenomena of life and death. The loss of this sense of awe occurs in a matter of days or weeks; mastery drives out mystery in all but a very few.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There is, I admit, no reason in principle why the sense of mystery needs to be lost by the increase of knowledge or power. And, indeed, in the case of the great men of science knowledge served to increase rather than to decrease their sense of wonder and awe. Nevertheless, for most ordinary men of science and technology, and probably for most men in this technological age, once nature is seen as or transformed into material and given over to their manipulation, the mystery and the appreciation are gone. Awed by nothing, freed from all so-called superstitions and so-called atavistic beliefs, they practice their power without even knowing what price they have paid.

Consider in this connection these excerpts from an editorial in *Nature* ("Premature Birth of Test Tube Baby," Vol. 225, p. 886, March 7, 1970) concerning adverse public reaction in Britain to the announcement (apparently erroneous) that Drs. Edwards and Steptoe were at that time about to do the first transfer of a laboratory-grown human embryo into a woman's uterus to circumvent her infertility.

> What has all this to do with the test tube baby? In terms of scientific fact, almost nothing at all. The test tube baby, as this phrase is usually understood, refers to the growing of a human embryo to full term outside the body and the chief obstacle to this feat (not that anybody has proclaimed it as a goal) is the formidable problem of maintaining the embryo after the stage at which it would normally implant in the uterus. The Oldham procedure concerns only the pre-implantation embryo which, except in the trivial sense that fertilization is carried out *in vitro*, can hardly be equated with the test tube baby. Moreover, it is difficult to see that the wastage of embryos occasioned by the procedure raises moral problems any knottier than those to do with IUCD, a device that probably prevents the embryo from implanting in the womb. What then was all the fuss about? . . .
>
> A curious feature of the public debate is that the letter-writing segment of the public, at least, seemed to believe that human life was about to be created from nothing in the test tube. For example, a correspondent in *The Times* voiced the fear that "The ability of scientists to develop the technique of creating life in a test tube is so serious that I feel human beings should be given the opportunity to express their views on whether or not this line of research should be pursued . . . [sic] Personally I find the idea of creating life at man's will terrifying." These are indeed dark and atavistic fears which have been nurtured, perhaps, by the views of Dr. Edmund Leach that scientists have usurped the creative powers and should assume the moral responsibilities formerly attributed to gods. Whatever the merit of Dr. Leach's thesis, those who are engaged in research that is at all liable to be misinterpreted will doubtless take the present episode as a warning of the misunderstandings that can arise,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

particularly if the true facts are not readily available from authoritative sources. There is always the danger that lack of information or misinformation may convert legitimate public concern about new knowledge into a paranoia that impedes research.

The moral is clear. Research, the supreme value, is to be protected from the dark "atavistic" fears of an ignorant public by the "authoritative" dispensation of (only) the "true facts."

The first paragraph of the excerpt contains the hard, cold, technical facts, presented "scientifically" by the scientist-editor of *Nature*. That editor finds it "curious" that the public had a somewhat different view of what was done; he erroneously attributes this difference to the public's lack of the "true facts." The source of the difference, however, is not the lack of information, but rather a difference in interpretation; the real reason for the difference is that the editor of *Nature* lacks, whereas the correspondent in *The Times* does not, a sense of mystery and awe concerning the initiation of new life. The editor is correct in distinguishing *in vitro* fertilization from full extracorporeal gestation, and partly correct in analogizing the question of disposal of embryos to the question concerning the IUCD (but not in thus disposing of the question). But by calling "trivial" the fact that fertilization has occurred *in vitro*, and embryonic development has been initiated, he displays his own human impoverishment. I do not insist that the embryo created is a human life worthy of protection; but it surely is alive, and it surely is potentially human. To look upon these embryos as anything less than potential human life in human hands is a misperception so gross as to be alarming.

We have paid some high prices for the technological conquest of nature, but none perhaps so high as the intellectual and spiritual costs of seeing nature as mere material for our manipulation, exploitation, and transformation. With the powers for biological engineering now gathering, there will be splendid new opportunities for a similar degradation in our view of man. Indeed, we are already witnessing the erosion of our idea of man as something splendid or divine, as a creature with freedom and dignity. And clearly, if we come to see ourselves as meat, then meat we shall become.

"Humanization"—man as self-creator

Among those who would take strong exception to my remarks on dehumanization are those who argue that the new biomedical technologies, including those which make possible new methods for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

making babies, provide the means for human self-modification and therefore improvement. They see man as imperfect, unfinished, but endowed with creative powers to complete and perfect himself. Included in this group are scientists such as Robert Sinsheimer:

> For the first time in all time a living creature understands its origin and can undertake to design its future. Even in the ancient myths man was constrained by his essence. He could not rise above his nature to chart his destiny. Today we can envision that chance—and its dark companion of awesome choice and responsibility. . . . We are an historic innovation. We can be the agent of transition to a wholly new path of evolution. This is a cosmic event.

And theologians, such as Karl Rahner:

> Freedom enables man to determine himself irrevocably, to be for all eternity what he himself has chosen to make himself.

We note in passing that the theologians have done the scientists one better. Many scientists take the fatalistic view that "what can be done, will be done." Those theologians-turned-technocrats sanctify the new freedoms: "What can be done, should be done."

The notion of man as a creature who is free to create himself, as a "freedom-event," to use one of Rahner's formulations, is problematic, to say the least. It is an idea that is purely formal, not to say empty. It provides no boundaries that would indicate when what was subhuman became truly human, or when what was at first human became less than human. Moreover, the freedom to change one's nature includes the freedom to destroy (by genetic manipulation or brain modification) one's nature, and thereby the capacity and desire for freedom itself. It is, literally, a freedom which can end all freedom. Nor can it provide standards by which to measure whether the changes made are in fact improvements. Evolution simply means change—to measure "progress" requires a standard which this view cannot in principle supply.

The new technologies for human engineering may well be the "transition to a wholly new path of evolution." They may, therefore, mark the end of *human* life as we and all other humans have known it. It is possible that the non-human life that may take our place will be in some sense superior—though I personally think it most unlikely, and certainly not demonstrable. In either case, we are ourselves human beings; therefore, it is proper for us to have a proprietary interest in our survival, and in our survival *as human beings*. This is a difficult enough task without having to confront the prospect of a utopian, constant remaking of our biological nature with all-powerful means but with no end in view.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A matter of wisdom

I had earlier raised the question of whether we have sufficient wisdom to embark upon new ways for making babies, on an individual scale as well as in the mass. By now it should be clear that I believe the answer must be a resounding "No." To have developed to the point of introduction such massive powers, with so little deliberation over the desirability of their use, can hardly be regarded as evidence of wisdom. And to deny that questions of desirability, of better and worse, can be the subject of rational deliberation, to deny that rationality might dictate that there are some things that we can do which we must never do—in short, to deny the need for wisdom—can only be regarded as the height of folly.

Let us simply look at what we have done in our conquest of nonhuman nature. We shall find there no grounds for optimism as we now consider offers to turn our technology loose on human nature. In the absence of standards to guide and restrain the use of this awesome power, we can only dehumanize man as we have despoiled our planet. The knowledge of these standards requires a wisdom we do not possess, and what is worse, we do not even seek.

But we have an alternative. In the absence of such wisdom, we can be wise enough to know that we are not wise enough. When we lack sufficient wisdom to do, wisdom consists in not doing. Restraint, caution, abstention, delay are what this second-best (and maybe only) wisdom dictates with respect to baby manufacture, and with respect to various other forms of human engineering made possible by other new biomedical technologies. It remains for another time to discuss how to give practical effect to this conclusion: how to establish reasonable procedures for monitoring, reviewing, and regulating the new technologies; how to deal with the undesirable consequences of their proper use; how to forestall or prevent the introduction of the worst innovations; how to achieve effective international controls so that one nation's folly does not lead the world into degradation.

Fortunately, there are no compelling reasons to proceed rapidly with these new methods for making babies. Though it saddens the life of many couples, infertility is hardly one of our major social problems. Moreover, there are other means of circumventing it that are free of the enormous moral and social problems discussed earlier. At a time when we desperately need to limit population growth, it may be a questionable sentimentality which seeks to provide every couple with its own biological child rather than

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

continue the practice of adoption. But it would be a foolish sentimentality to unleash baby-making technologies for this purpose, especially before there are means to limit and control their use. The same arguments apply, with equal force, to the use of these technologies for the eradication of genetic disease. We probably do not know enough about the genetics of man, despite our well-meaning desires, to prevent genetic disease by the practice of eugenic abortion (e.g., following amniocentesis). We certainly don't know enough to escalate our tinkering by the eugenic use of the new baby-making techniques.

I am aware that mine is, at least on first glance, not the most compassionate view (although it may very well turn out to be so in the long run). I am aware that there are some who now suffer who will not get relief, should my view prevail. Nevertheless we must measure the cost—I do not mean the financial cost—of seeking to eradicate that suffering by any and all means. In measuring the cost, we must of course evaluate each technological step in its own terms—but we can ill afford to ignore its place in the longer journey. For, defensible step by defensible step, we could willingly walk to our own degradation. The road to Brave New World is paved with sentimentality—yes, even with love and charity. Have we enough sense to turn back?

STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION
(Act of August 12, 1970: Section 3685, Title 39, United States Code)

1. Date of Filing: October 1, 1971. 2. Title of Publication: *The Public Interest*. 3. Frequency of Issue: Quarterly. 4. Location of Known Office of Publication: 404 Park Avenue South, New York, N. Y. 10016. 5. Location of the Headquarters of General Business Offices of the Publisher: 404 Park Avenue South, New York, N. Y. 10016. 6. A. Publisher: Warren Demian Manshel, *The Public Interest*, 404 Park Avenue South, New York, N. Y. 10016. B. Editors: Daniel Bell and Irving Kristol, *The Public Interest*, 404 Park Avenue South, New York, N. Y. 10016. C. Managing Editor: None. 7. Owner: National Affairs, Inc. (nonprofit) 404 Park Avenue South, New York, N. Y. 10016. 8. Known Bondholders, Mortgages, and Other Security Holders Owning or Holding 1 Per cent or More of Total Amount of Bonds, Mortgages, or Other Securities: None. 10. Extent and Nature of Circulation. A. Total No. of Copies Printed: Average No. of Copies Each Issue during Preceding 12 Months, 11,500; Single Issue Nearest to Filing Date, 11,500. B. Paid Circulation: (1) Sales through Dealers and Carriers, Street Vendors and Counter Sales: Average No. Copies Each Issue during Preceding 12 Months, 1,500; Single Issue Nearest to Filing Date, 1,500. (2) Mail Subscriptions: Average No. of Copies Each Issue during Preceding 12 Months, 8,300; Single Issue Nearest to Filing Date, 8,101. C. Total Paid Circulation: Average No. of Copies Each Issue during Preceding 12 Months, 9,800; Single Issue Nearest to Filing Date, 9,601. D. Free Distribution by Mail, Carrier, or Other Means; Average Number of Copies during Preceding 12 Months, 200; Single Issue Nearest to Filing Date, 200. E. Total Distribution: Average Number of Copies Each Issue during Preceding 12 Months, 10,000; Single Issue Nearest to Filing Date, 9,801. F. Office Use, Left-Over, Unaccounted, Spoiled after Printing: Average No. Copies Each Issue during Preceding 12 Months, 1,500. Single Issue Nearest to Filing Date, 1,699. G. Total: Average No. Copies Each Issue during Preceding 12 Months, 11,500. Single Issue Nearest to Filing Date, 11,500. I certify that the statements made by me above are correct and complete.

Irving Kristol, Editor

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Is television news biased?

PAUL H. WEAVER

Is television news biased? That anyone alive today should debate this question, or even ask it, is at least paradoxical. The spirit of our age is the spirit of relativism—of the belief in the subjectivity of human consciousness, the parochialism of cultures and values, "doing your own thing," etc. In such an age, the proposition that TV news is biased should be about as controversial as the law of gravity. Yet the situation is otherwise, to put it mildly. The question is not only asked and debated; it has generated an intense controversy that now includes, in addition to the extremes of left and right, a small army of journalists and network executives, politicians across the spectrum, ethnic and interest groups, presidential commissions, and just about everyone else with political interest or ambition.

But in fact there is no contradiction in this. The very scale of the controversy, taken together with the triviality of the question, indicates that the issue has surely been misdefined. The real question is not: Are the media biased? They are, by definition and of necessity. The question is rather: *How* are the media biased, and what is the consequent effect on our interests and values? Of course, the matter is never put in these terms; the genius of American politics

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

seems determined that we should frame it the other way, as if a perfectly unbiased or neutral mode of discourse were within the realm of human possibility. The result has been a hopeless muddling of the intellectual issue, and a needless intensification of the authentic political conflict which lies beneath it.

The question of legitimacy

It is not just an American innocence which has transformed a serious debate into the quixotic pursuit of a phantom called "unbiased news." There has been another, more specific cause. For the debate is not only a discussion of whether the media have power and how they use it; it is equally a dispute over the *legitimacy* of that power. Americans have no trouble believing that an individual may and should do everything within his power (and the law) to affect public discussion and shape public policy; that is his right as a citizen, as a participant in sovereignty, and thus as a source of legitimacy. But the mass media are not citizens or sovereigns. They are corporate entities, creatures of the state; they are elected by no one and are answerable only to themselves. Yet they possess far more power over our public life than does any individual. Then by what right do they exercise this power?

For the media, the question has long been a troubling one; in the context of the current controversy, which they see as a concerted partisan attack, it is downright embarrassing. Their temptation, in the circumstances, is to claim that they exercise no political power and therefore have no need to justify such power. But this line of argument is not very satisfactory, and they rarely use it—at least not for long. For one thing, to deny that they have power over public opinion is to deny that advertisers have any good reason to buy time or space from them. Moreover, as long as American journalists' self-proclaimed mission is to improve public opinion, they cannot very well claim that they have and seek no influence. Besides, any such claim would be met with utter disbelief. Hard as it has been for social science to measure the full range of media effects, the fact remains that the media, at least as selectors of information, possess a subtle but massive power to define the terms, issues, and especially the priorities of public discussion. Indeed, it is their possession and unavoidable use of this power, in the context of our growing national disagreement over the goals and priorities of public policy, which is the underlying reason for the existence of the entire controversy in the first place.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sensibly enough, most journalists acknowledge the existence of their power and seek instead to defend its legitimacy on the ground of their "professional" and above all "fair" use of it to tell the news. By this they mean that their intention—and, in general, their achievement—is to give equal time, equal space, and equally considerate attention to all popular candidates and all popular views on all popular issues. The media recognize that this strategy will not protect them from the wrath of the political extremes, whose views and candidates they systematically ignore. But they do hope it will prevent them from offending the great majority, who presumably will see in the formula of "fairness" at least a rough approximation to "objectivity."

Yet the fact remains that even if the media were always "fair" by their own definition, they would not necessarily be unbiased in the larger sense. "Fairness" involves adhering to an accepted, professional mode of behavior; bias is a way of describing the effect of any activity ("fair" or not) on some value. The distinction is familiar enough in other connections. Judges and district attorneys may be "fair" in scrupulously following traditional rules; but the cumulative impact of their activities may be biased—against poor people, for instance. The media are capable of making this distinction about other institutions; but they do not acknowledge that this distinction applies to themselves. *They defend their legitimacy by using "fairness" as a synonym for lack of bias.* In consequence they perpetuate and—let us be candid about this—profit from a serious confusion of the real issue. Meanwhile, wrapped in the mantle of "fairness," the media indignantly rebuke their critics as "biased," "extremist," "self-seeking," "manipulative," or possessed of an irrational desire to punish the innocent messenger who bears a distasteful truth.

For the most part, the critics have been quick to accept this stealthy equation of "fairness" with lack of bias. For without the premise that an unbiased account is both possible and desirable, they have no very persuasive ground for complaint. To object to news coverage by thundering that it is "biased"—that is, clearly and intentionally misleading—is to use a powerful rhetoric; to say that it proceeds in such a way as to produce a misleading impression is rather less compelling. So the critics have been no less delighted than the media to confuse the issue. Neither have they been notably shy about finding dishonorable motives at work in any example of objectionable reportage or making broad charges on the basis of anecdotal or fragmentary evidence. Needless to say, the entire con-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

troversy has not been the most enlightening or admirable episode in the history of American public discussion, and the subject by now is long overdue for some serious study.

"TNT"

One could have hoped, therefore, that Edith Efron's *The News Twisters* (Nash, $7.95), published this fall, would have been recognized for what it is—a serious independent effort to measure what she takes to be the "fairness" of network television news, and thereby to shed the light of quantitative evidence on one important aspect of the debate. Alas, it generally has been recognized as no such thing, and both its supporters and detractors have quickly assimilated it to their own polemical purposes. This is a pity, for the book deserves more thoughtful attention than it has generally received so far—not so much because it is brilliant, or scholarly, or especially penetrating (it is none of these), but rather because it presents for the first time an extensive and tolerably reliable body of evidence on the content of television coverage of the presidential campaign in 1968. Properly interpreted, this evidence reveals a great deal about *how* television news is biased and thus about the direction of its influence on public opinion. Any book that illumines such matters deserves better than *TNT* (to use the publisher's provocative acronym) has received.

Miss Efron's procedure was indeed brilliant in its simplicity. She made a transcript of the three national networks' evening news programs during the final seven weeks of the 1968 campaign. She then went through these transcripts identifying and recording every sentence containing positive or negative opinion concerning the three presidential candidates and a list of issues she selected. (Within the news stories on the campaign, most sentences contained no such opinion and therefore were not recorded.) When this procedure was finished—the actual identification and classification of opinion required the formulation and systematic application of specific rules to cover problematic cases—she simply totalled the number of words of positive and negative opinion concerning each candidate and issue and entered these totals on graphs.

Concerning the candidates, the results were as follows: Humphrey received essentially "fair" coverage by all three networks (ABC had 4,200 words for him, 3,600 against; CBS, 2,400 for and 2,100 against; NBC, 1,900 for and 2,700 against). Wallace received tolerably "fair" coverage from two of the networks (CBS, 1,100 words

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for and 1,300 against; NBC, 1,000 for and 1,800 against) and pretty clearly "unfair" coverage from one network (ABC: 1,400 words for, 3,400 against). But the coverage of Nixon was something else altogether; on all three networks the pattern was one of extreme "unfairness," so much so that *negative opinion on Nixon exceeded positive opinion by a factor of 10.* (ABC, 900 words for and 7,500 words against; CBS, 300 words for, 5,300 words against; NBC, 400 words for, 4,200 against.) Miss Efron's study produced other findings—on coverage of the selected issues[1] and on the structure and rhetoric of "biased" news stories—but only those on the coverage of candidates merit the reader's close attention.

If it is true that the networks' coverage of Nixon was extraordinarily "unfair," and especially if this "unfairness" was deliberate or politically motivated, then Miss Efron has documented an authentic national scandal. Television, after all, is the primary source of news for a majority of Americans; the three network programs are almost the only source of national and international news on American television; and the networks possess their tight oligopoly over such news as a direct result of federal policy, federal regulation, and federal protection. If the networks are indeed seriously abusing their special powers—and Miss Efron's findings, if true, suggest an abuse of some magnitude—then there would seem to be a strong case for using the same public authority that now sustains the networks' oligopoly either to regulate their news programs more stringently, or else to destroy their oligopoly over national news altogether. One can imagine still other courses of action—but that is beside the point. What is to the point is that, by measuring the extent to which the networks, *by their own standards,* are performing "unfairly," and therefore illegitimately, Miss Efron's statistics inevitably raise a serious question of public policy, and with it the specter of government intervention.

---

[1] Although Miss Efron holds that her analysis of issue coverage reveals a pattern of leftward "bias," her findings are in fact inconclusive. With only one clear exception, the "issues" she chose to study are not issues in any ordinary sense of the term. Some were not discussed at all during the campaign; others were discussed, but all candidates took essentially the same position on them. In any case, most of her "issues" are not issues but political groups—liberals, conservatives, the white middle class, black militants, the left, demonstrators, and violent radicals. One problem here is that the groups as defined are not mutually exclusive. A more serious problem is that insofar as these groups were topics of discussion, they were not issues but *symbols.* People either find a symbol persuasive and take it seriously, or else they ignore it out of a preference for some different symbol. To measure the fairness of coverage of symbols, one would have to identify the different symbols of left, center, right, etc., and then measure their relative incidence. Miss Efron's procedure does not do this.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Method and magnitude

So it is hardly a surprise to discover that the book has aroused intense reactions along political lines, with conservatives strongly approving and liberals harshly negative. Aside from the fact that CBS, prior to the official publication date, issued a long memorandum "refuting" Miss Efron's content analysis, using two dozen examples (which are too few to be statistically capable of confirming or falsifying the study), what is interesting about this critical reception is not its direction or intensity but rather its focus. For it is the validity or invalidity of Miss Efron's *numbers* which has preoccupied the reviewers, both favorable and hostile. Nearly everyone has been prepared to believe that if the numbers are correct, then her conclusion—"that network coverage tends to be strongly biased in favor of the Democratic-liberal-left axis of opinion, and strongly biased against the Republican-conservative-right axis of opinion"—follows automatically. In fact, the only conclusion that follows automatically from her statistics (we are excluding the "non-findings" on issues) is that, whereas the amounts of negative and positive opinion on Humphrey and Wallace were roughly equal, negative opinion on Nixon vastly exceeded positive opinion. Now it is true that one way to describe and explain this pattern is to say that it reveals "bias for" Democrats and liberals and "bias against" Republicans and conservatives. But there are other—and, as we shall see, better—ways to account for the pattern. The point is that what statistics show and mean—even the relatively simple statistics in *TNT*—is always a complicated and elusive question of interpretation. Miss Efron's hostile reviewers have resolutely ignored this fact. Captivated by the notion that "fairness" is the same thing as lack of bias, and that any bias must automatically flow from "unfairness" on the part of individual journalists, they have busied themselves almost exclusively with her data and methods, as if it were on their validity alone that her conclusions stand or fall.

Of course, her method does deserve careful scrutiny—the data are no more reliable than the way they were gathered. What it has received so far is only inconclusive calumny. Some critics have objected to Miss Efron's decision to exclude from her analysis all pictures, most speeches by candidates, all stories about the results of public opinion polls and the question of whether there would be a Humphrey-Wallace-Nixon debate, and all non-narrative audio material (applause, shouts, random words or phrases from crowds, etc.). Now, although there are good reasons for excluding such material (it is, in various technical ways, especially hard to measure

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

or categorize as pro or con), it is true that the exclusion *may* have affected the relative amounts of pro and con opinion on each candidate; but until it is shown that the exclusion *did* have such effects, there can be no decisive objection to this aspect of Miss Efron's procedure—especially since it seems more reasonable to suppose, in the absence of evidence to the contrary, that the excluded content (especially pictures) was pro and con in something like the same proportion as the analyzed content.

A more serious objection has been raised against Miss Efron's notion of what constitutes negative and positive opinion, especially concerning Nixon. (Most examples of questionable categorization adduced by critics concern the "issues"—but again, that part of her study is ill-conceived and should simply be ignored.) And here, it is true, Miss Efron appears to have some farfetched ideas. But there are three points to be made about this problem. First, my own inspection of two different samples of Miss Efron's file of anti-Nixon opinion convinces me that, by any reasonable standard, the large majority of such items are in fact quite clearly anti-Nixon opinion; no more than 20 or 30 per cent of the anti-Nixon items might be questioned. Nobody has shown that the proportion of questionable items is larger; indeed, so far critics have merely adduced a few extreme examples, as if these were enough to invalidate the entire study. And this brings me to the second point. What is significant about Miss Efron's findings is not the absolute numbers of words pro and con; it is the *relative size* of the two bodies of opinion. In order to invalidate the finding of a huge disparity between pro-Nixon and anti-Nixon opinion, it is not enough to show that *some* anti-Nixon opinion has been incorrectly classified—one must show that *most* of it has been incorrectly classified. Even if one were to find that she had overestimated the amount of anti-Nixon opinion by 100 per cent and underestimated the amount of pro-Nixon opinion by 50 per cent, there would still be 2.5 times more anti-Nixon opinion than pro-Nixon opinion, a clearly "unfair" pattern. Needless to say, nobody has yet established errors of this magnitude, and it seems unlikely that anyone will.

And this brings us to a final point. By ignoring the whole question of the magnitude of Miss Efron's errors, the critics seem to be arguing that any method which is in part uncertain is wholly invalid. This objection applies not only to Miss Efron's study but to every similar content analysis. For content analysis of this sort—consisting as it does in identifying opinion and classifying it as positive or negative—is inherently problematic because any definition of opin-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ion is problematic. Such content analysis is not invalidated when one discovers that some material that one personally considers neutral has been classified as pro or con opinion, or vice versa. It is invalidated only when procedures for identifying and classifying opinion are not followed systematically or when the procedures embody a wildly and uniformly unreasonable notion of opinion. Neither appears to be the case with Miss Efron's study. Of course, one is perfectly free to decide that any method that is so inherently arbitrary and uncertain should be abandoned altogether and its findings simply disregarded; some academic content analysts have done as much. But anyone who takes this view is also rejecting the entire notion of "fairness" in journalism. "Fairness" presupposes that opinion can be identified and categorized with reasonable accuracy and consistency; after all, what is a reporter who adheres to the formulae of "fairness" in writing a story doing but making an on-the-spot content analysis? Some critics' arguments have come dangerously close to denying not only the validity of Miss Efron's study but also the possibility of a "fair" (and therefore, by its own standards, legitimate) journalism. This latter, one feels sure, is not exactly what they have in mind.

Ultimately, the validity of the Efron study will not be definitively confirmed or falsified until someone undertakes a complete reanalysis of her transcripts. One can be fairly certain that when that happens, all her specific numbers will be revised, some of them substantially, but that the general pattern—at least concerning Nixon—will be confirmed. For quite apart from Miss Efron's book, there is ample evidence for believing that the networks' coverage of Nixon during the 1968 campaign was indeed substantially "unfair" in the sense that it presented much more negative than positive material about him, and that their coverage of Humphrey (and possibly also Wallace) was significantly less so. The question to be asked, then, is not whether this happened—very probably it did. The really interesting question is how and why it happened, and what it means.

Is a campaign an issue?

The intuitive reaction to Miss Efron's work is to conclude, as Miss Efron herself does, that the networks' coverage was clearly, even overwhelmingly, biased against Nixon. From there it seems but a short and logical step to the further conclusion that the cause of this slanted coverage must have been the personal political opinions of the network newsmen. As a group, after all, they are mostly

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

liberals, and as liberals they have not only an innate dislike for Republicans and conservatives in general, but also the American liberal's special historical animus against Nixon in particular. So, on the face of the matter, it seems plausible to conclude that what Miss Efron has found is biased reporting by biased reporters animated solely by their bias—not a pretty picture in a democracy, implying as it does the systematic manipulation of public opinion by a powerful few for their own favored political ends.

But in this case, as in so many others, what seems intuitively obvious turns out, on closer inspection, to rest on assumptions that are not obviously true at all. For in describing the coverage of Nixon as "unfair"—and therefore "biased"—merely on the evidence of the relative amount of pro and con opinion, Miss Efron tacitly assumes that a national election is essentially an "issue" and that each candidate and his campaign represent a "side" of that issue. If this were the case, then "fair" campaign reporting would indeed consist, as Miss Efron supposes, in an equally lengthy and forceful description of each side's position in a way that advantages no side. But the principle of fairness she uses here is only one of *two different "fairness" principles* that journalists apply.

When they perceive the subject of one of their stories as an "issue"—something on which one "takes sides"—journalists do indeed apply this "equal treatment" test: They try to guarantee equality of textual *results,* so that their reportage confers no differential advantage or disadvantage upon any party to the dispute. On the other hand, the subject of a story may not be perceived as an issue or dispute at all. For instance, if a public official is caught with his hand in the till and subsequently is convicted for it, this event is not an "issue," even though the official may insist on his innocence. The journalistic report will necessarily contain a preponderance of negative opinion concerning the official. In this context, journalistic "fairness" would *not* demand that a reporter balance his story with some favorable item about the official, so that a reader's total impression would be of equal amounts of good and bad. The story would be unfair only if disadvantage were conferred through an arbitrary or deliberately inconsistent application of the established rules and routines of news reporting or through some falsification of the facts.

In short, where the story's subject is perceived not as an *issue* but as an *event* or *action,* the "equal treatment" criterion simply does not apply; under these circumstances, one is not justified in inferring "unfairness" from the presence of a preponderance of disadvantaging

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

or advantaging content. "Unfairness" in these circumstances exists only where too much or too little disadvantage (or advantage) is conferred as a result of unsystematic or partial use of the conventional concepts and rules of news. Needless to say, it is next to impossible to demonstrate "unfairness" of this kind.

So the critical question for Miss Efron's conclusions is this: Did the television networks perceive the 1968 campaign as an issue? If they did, then both Miss Efron's data and her interpretation are conclusive; the networks stand condemned by their own standard of fairness, and one can only assume that the unfairness of their coverage reflects the newsmen's personal animus against Nixon. But if in fact the networks saw the campaign as something other than an issue, her findings are not so conclusive after all—at least not by the established traditions of American journalism and the FCC's Fairness Doctrine. Of course, one may still conclude from her data that Nixon (or for that matter Humphrey or Wallace) was treated unjustly or inadequately. But in this case the standard of justice or adequacy will be one's own, not the official or traditional journalistic one; the standard will have to be defended; and the explanation of the injustice or inadequacy of coverage will probably be found not in the reporters' personal opinions (which is how any deviation from professional news standards usually is explained), but rather in the established routines and concepts of gathering, selecting, and writing news (since it is almost certain that one's own standards will be different from those of the craft of journalism).

For several reasons, Miss Efron's interpretation—that the campaign was an issue, that the networks saw it as such, and that their actual coverage therefore was deliberately biased—seems unsatisfactory. First, anyone who watched the networks' coverage in 1968 could not help but notice their massive and almost single-minded concentration on those aspects of the campaign with only a most distant relation to the "issue" of who ought to be president—the physical events, human dramas, crowds, happenings, rallies, speeches, motorcades, balloons, etc., etc. Insofar as they saw the campaign in these terms, the "equal treatment" standard did not apply. In the second place, the networks were meticulously fair about giving the two major candidates almost exactly equal *amounts* of coverage. Thus, insofar as they did perceive the campaign as an issue—as a choice between two men—they did indeed adhere to an "equal treatment" standard of fairness. And this suggests in turn that where the networks' coverage did not meet the equal treatment test, the reason was simply that *they saw the campaign not as an*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

issue but as a series of events, actions, people, etc.; that they reported those events in accordance with the established definitions and formulae of "news"; and that any advantage or disadvantage thereby conferred on the candidates was the direct result of those definitions and formulae themselves. If so, then what Miss Efron's numbers measure is not bias against Nixon himself because of his personality, party, or opinions, *but rather bias against someone like Nixon for reasons of his journalistically-defined situation and identity;* and the cause of this bias is not the personal political sentiments of reporters—not their will to unfairness—but rather the nature of the television news form itself. In other words, what Nixon encountered in 1968 was not an essentially *political* bias, it was an essentially *journalistic* bias.

The television news form

To see how this is so, one must begin by appreciating the television news story as a form, which is most readily grasped by contrasting it to the form of the newspaper news story. In newspapers, the subject and focus of every story is an *event,* which is described in the headline and lead paragraph. The rest of the story, which elaborates upon the event according to an established routine of description (who, what, where, when, how, and why), is discursive almost to the point of formlessness; it ends simply by trailing off or, more often, by being arbitrarily cut off by an editor. The story is narrated in a highly impersonal manner; the reporter never directly reveals himself; and all statements are presented as impersonal statements of fact.

By contrast, a television news story cannot assume this discursive structure. Its principal need is for a clear, continuous narrative line sustained throughout the story—something with a beginning, a middle, and an end that will create, maintain, and if possible increase the viewer's interest (otherwise, he might switch to another channel). Because of this need, a television story cannot focus simply on an event and go on to describe serially its component parts; it needs instead a *theme* which can be sustained throughout the story. This focus on theme rather than event is symbolized by the role which the reporter assumes in television—no longer a self-effacing and impersonal figure, as in newspapers, but a highly visible and distinctive one whose personality and sustained presence are an additional device lending unity and intelligibility to the story. The focus on theme also determines the role of facts and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

simple events in the story: They no longer constitute the story's major interest, as in newspapers; they become instead the materials with which the chosen theme is illustrated.

These three elements and needs of the form—a suitable theme, a short and simple but continuous narrative, and the use of events as illustrative materials—powerfully affect the content of television news in various ways. For one thing, they endow television news with a strong preference for personifying and dramatizing, for representing institutions, situations, general developments, and the like, by means of the actions, predicaments, moods, or statements of individual people. And more generally, the form guarantees that *the typical television news story will be far more interpretive than a newspaper news story.* In a campaign, for example, whereas a newspaper will focus primarily on the events of a campaign—a rally here, a major address there—television coverage focuses not on events but on the general trends, situations, and dynamics of the campaign, which it illustrates with materials gathered at the events. Thus, the tendency of TV campaign reporting is to disregard the surface of events in preference for explaining what's really going on underneath. And this leads to a further consequence of the form: It tends to make TV campaign reporting much more repetitious and uniform, substantively, than newspaper reporting. For newspapers, a campaign story is different every day because it focuses on a different particular event, but television news stories change only as fast as the underlying campaign situation changes—if it changes at all. In 1968 it changed very little, as a result of which the themes of television news coverage were almost changeless and thus almost timeless. Only the illustrative materials changed, and on any given day not even these could be relied on to be uniformly up-to-the-minute.

So the content, and therefore the bias of television campaign coverage depend crucially on the nature of the recurrent story themes, and these in turn depend on how the network newsmen interpret what's "really" going on beneath the surface of events. Obviously, a very important factor in the newsman's interpretation is the actual situation and dynamics of the campaign itself and the personalities, histories, idiosyncrasies, etc., of the candidates. Yet there is in principle no end to the number of different ways one could define the situation, personalities, and so on, which means that newsmen must have some basis for selecting among the possibilities. They find that basis in the intellectual traditions and operational standards of the craft of journalism; these include as one of their

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

central elements a *narrow and distinctively journalistic model or theory of politics,* one which defines not only politics in general but also the spirit and terms in which to describe political situations. This model is the second crucial factor shaping the themes of campaign stories, and its pervasive influence largely accounts for the networks' different treatment of the three candidates in 1968.

According to this model, which has been at the heart of American journalism for something approaching a century and a half, politics is essentially a game played by individual politicians for personal advancement, gain, or power. The game is a competitive one, and the players' principal activities are those of calculating and pursuing strategies designed to defeat competitors and to achieve their goals (usually election to public office). Of course, the game takes place against a backdrop of governmental institutions, public problems, policy debates, and the like, but these are noteworthy only insofar as they affect, or are used by, players in pursuit of the game's rewards. The game is played before an audience—the electorate—which controls most of the prizes, and players therefore constantly attempt to make a favorable impression. In consequence, there is an endemic tendency for players to exaggerate their good qualities and to minimize their bad ones, to be deceitful, to engage in hypocrisies, to manipulate appearances; though inevitable, these tendencies are bad tendencies according to the model and should be exposed. They reduce the electorate's ability to make its own discriminating choices, and they may hide players' infractions of the game's rules, such as those against corruption and lying.

Seen in terms of this model, then, every campaign has two faces. In one sense, it is a lively competition for public favor and office, and to this extent it is an exciting drama of men in pursuit of their goals—a spectacle that engages the empathy and emotions of the onlooker. But in a second sense, a campaign also is a drama of men trying to deceive and manipulate their audience and thus arouses in the onlooker feelings of contempt, indignation, or fear.

This traditional and distinctively journalistic model determined in almost every respect the way newsmen defined the situations and dynamics of the 1968 campaign, the way they defined the few simple recurrent themes which gave structure and focus to most campaign news stories, and therefore also the types and amounts of opinion contained in their reportage.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Themes of campaign coverage

The networks defined Humphrey's situation in the campaign as that of the underdog, and virtually all their news stories about him centered around the theme of "underdog." On this theme there were a number of variations. Particularly in the early weeks of the campaign, the theme was defined in terms of the sources of his underdog status—the disarray of the party after the Chicago convention, the disorganization and poverty of Humphrey's campaign, the candidate's close association with the person and policies of Lyndon Johnson, the candidate's garrulous and unconvincing effort to appear optimistic in the face of almost certain defeat, and, in general, the confusion and inefficacy of his entire campaign effort. A second variation, which began to develop toward the mid-point of the campaign, was that of the underdog confronting and beginning to overcome the causes of his underdog status. Here the focus was particularly on Humphrey's own efforts and achievements: the apparent break with Johnson symbolized by the Salt Lake City speech, the foray into the South ("Wallace country"), the frontal attack on both Wallace and Nixon ("Richard the Chicken-Hearted"), and the dramatic renewal of the candidate's confidence, enthusiasm, and charm. The third variation was that of the underdog gaining momentum and making dramatic progress toward a possible upset victory, as reflected in the reversal of the Wallace tide, the unification of the Democratic party around its candidate (yielding many endorsements, which of course counted as "pro" opinion in Miss Efron's study), the increase in campaign contributions, the candidate's steady progress in the public opinion polls, and, finally, the candidate's growing conviction that he would win.

This theme in its three variations was the cognitive underpinning of most network news stories on Humphrey and determined the selection and presentation of events, facts, etc. Especially because of the early opposition to Humphrey from the left, campaign reportage contained roughly equal amounts of favorable and unfavorable opinion; but the overall image of the underdog enthusiastically battling to overcome his predicament against great odds and coming within an inch of triumph was the central story—and an immensely appealing personal drama of rags-to-near-riches it was.

The networks defined Nixon's situation as that of the front runner —a big lead in the polls, an experienced campaigner with a well-organized campaign effort, large amounts of money, a unified party, in short, a player who needed only to hold onto his lead in order to win the game. On this theme there were three major variations. One

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

emphasized the consequences of the candidate's position as front runner—the reasonable and statesmanlike role he could take, his ability to avoid political gut-fighting, his opportunity to make thoughtful speeches on subjects like the American spirit, East-West trade, and other such recondite matters, his reluctance to attack Humphrey and Wallace directly or at length, and the like. But if this variation of the front runner theme often proved favorable to Nixon, the other two variations did not. One of these, which found its way into a great many stories on Nixon, fixed attention on the characteristic problems of the front runner: how to maintain his lead and how to do it most effectively. This variation on the front runner theme, of course, focuses directly on the campaign as an exercise in the calculated, organized, well-funded manipulation of appearances and public opinion; and stories built around this theme emphasized the deliberateness, the lack of spontaneity, and the deceptiveness of all campaign events—the fact that behind every enthusiastic rally there are advance men at work creating and directing an audience; that in every public statement on some issue there lurks a tactical intelligence calculating what position will gain the most votes or lose the fewest, and so on. This theme accounted for much of the negative opinion on Nixon identified by Miss Efron's study.

Nixon was disproportionately the subject of this theme not only because of his front runner status but also because of the personal drama surrounding him in the last several weeks of the campaign. This constituted the third variation on the front runner theme: the psychological drama of the front runner facing the spectacle of his commanding lead dwindling day by day as Humphrey's fortunes rose. The stories built around this variation pictured Nixon, in contrast to the outgoing and enthusiastic "happy warrior" Humphrey, as an introspective man, calculating whether victory was again going to slip through his fingers and trying to avoid doing anything hasty or impetuous to invite that fate.[2] Here, too, the effect was to present an unfavorable image of the candidate.

In sum, while it is true that some of the anti-Nixon opinion in network coverage derived from Humphrey's and other Democrats' at-

---

[2] ABC provided the most extreme example of this kind of story while reporting a Nixon rally in Syracuse, New York. After an introduction, the reporter said: "You can almost feel him struggling with himself. 'Hold on, Richard. You've come so far and you're almost there. Don't blow it now.' . . . Well, that's difficult, especially when his natural instinct is to smash the enemy with a club or go after it with a meat axe. . . . Richard Nixon's most interesting and vital struggle is not with Hubert Humphrey or with George Wallace, but with himself." (ABC, 10/30/68)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tacks on Nixon, a very large amount of it derived from the front runner theme, especially in its second and third variations. At least in the American democracy, to describe a man and his campaign in a way that calls attention to their manipulative intention is not exactly to flatter him.

The theme of most Wallace stories was that he not only reflected but also created division and violence wherever he went. As a result of the emphasis on division and conflict, these stories contained roughly equal amounts of pro-Wallace and anti-Wallace opinion; but the overall theme, it need hardly be pointed out, was scarcely neutral as to the essence of the Wallace phenomenon. Here too the theme was supplied by the journalistic model of politics, which discounts ideology and issues and prefers to focus attention on (among other things) a player's impact on the electorate—especially when that impact leads to incidents (e.g., a riot) that are eminently "televisable."

Humphrey the underdog, Nixon the front runner, and Wallace the sower of discord and violence—these were the central themes which the networks repeated day after day as they looked beneath the surface of events to plumb what really was happening in the campaign. The themes derive directly from an established and distinctively journalistic way of understanding politics, and the extraordinary power they exercised over the content of network coverage was a direct consequence of the peculiarities of the form of the television news story. The resulting pattern of coverage was far from neutral in its depiction of the various candidates; but although the effect of this non-neutrality was, or may have been, political, its cause appears to have been almost completely journalistic in nature. And so, at least in a narrow sense, the networks' indignant rejection of those who have charged them with "political bias" in reporting the 1968 campaign has some justification. It would appear that they were indeed merely reporting what they saw as the news fairly and impartially, and that if the news conferred advantage or disadvantage on any candidate, it did so primarily because of the inherent biases of television news as a distinctive form of discourse.

On the margins, it is true, the personal political opinions of the newsmen almost certainly influenced the content of television campaign coverage. The extremely favorable reporting on Muskie seems perhaps the clearest example of such influence, and the extraordinary frequency with which the manipulative aspect of the Nixon campaign was mentioned may well be another. Even beyond these examples, it is doubtless true that network newsmen could often

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

take pleasure in their news stories' depiction of the various candidates, for the effects of these depictions were often in harmony with their liberal political sympathies. But influence on the margins is by no means the same thing as the power to control and shape. Granting this marginal influence to the reporters' sympathies takes nothing away from the overwhelming importance of the news form itself in determining the content—and biases—of the news.

The problem of news itself

To say that in the main the networks were indeed doing a professional and "fair" job of reporting the news of the 1968 campaign may lay to rest the charge of "political bias" as it has generally been formulated, but it does not at all resolve the larger issue of the news media: not *whether* they are biased, but rather *how* they are biased. Indeed, it only sharpens that issue. If a professional job of reporting often reinforced the entire thrust of the Humphrey campaign, often presented the Nixon effort in an extremely unflattering light, and saw in the Wallace phenomenon nothing but the seeds of violence, perhaps we should begin to worry about the adequacy of the professionals' notion of news itself. Obviously news itself, as conventionally defined by the journalistic profession, has its own structural biases. This means that insofar as we rely on news in forming our mental picture of what is going on in the world, what we are receiving is not a neutral body of information, but rather information gathered and presented to illustrate certain ways of seeing the world, based on certain values and favorable to certain courses of action. If so, one issue which arises immediately is that of legitimacy: By what right do the news media propagate their own distinctive vision, which is not entirely neutral as between different sorts of candidates, or different sorts of opinions? But that, I fear, is an insoluble question. *Any* body of knowledge possesses its biases. The only way to insure that every citizen truly is the master of his own opinions is to ban *all* media (not to speak of other opinion-forming institutions). But such an imposition of ignorance would exercise its own tyranny.

A more useful question to pose is: *Which* biases are we content to let journalism possess, and which do we insist that it avoid? This is a formulation which gives us some real choice. For it is by no means clear that television news in its current form represents an optimal combination of all the available and feasible biases. As an example, consider the model of politics as a game played for personal advantage, which informs and shapes nearly every story about political

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

campaigning. To be sure, there is much to be said for reporting this facet of electioneering. It does exist, there is deceit and worse, and people should be aware of its excesses. But it is wildly misleading to look at a campaign and see *nothing but* this. A campaign to some extent always *is* an issue, and candidates usually do present some authentic choices about the style and direction of public policy and national leadership. To ignore or minimize the serious issues implicit (and sometimes explicit) in a campaign is to deny citizens the information and analysis they need in order to make a rational decision about how to exercise their suffrage in the manner most likely to promote their own vision of how our public life should be ordered.

Nor is that the only cost of the news form as it exists today. For in its denial of the "issue" aspect of campaigning and in its cynical preoccupation with the deceptive and manipulative aspects of politics, it subtly but powerfully suggests to citizens a posture of detachment (at best) or cynical rejection (at worst) toward the political institutions of the nation. In the long run this can only weaken their capacity to perform the services which that very detachment or rejection posits as desirable.

However reassuring it may be to know that the biases of television news more often than not have their origin in the news form rather than in reporters' personal opinions, it is disconcerting in the extreme to discover, when one examines that form, how frivolous, mean-spirited, and intellectually impoverished a form it is. It clearly would be desirable for reporters to see *more* themes, developments, and phenomena in the campaigns and other events they cover. Thus, what is needed is a pluralizing of the themes of "stories," and an expansion and improvement of the "vocabulary" of the television reporter and editor. Perhaps the current controversy will convince the networks of the utility, and possibly even the merit, of this kind of self-reform. In any case, this is not the sort of reform which Congress or the FCC can undertake, or even stimulate; government intervention would be almost certain to make things worse. For what is required is not some new law; it is instead an enlargement of the journalistic imagination and an expansion of the journalists' vision. This is not to say that newsmen should try to become social scientists or political theorists—if they tried they would probably fail, and besides, there is much of value to be learned from a uniquely journalistic view of the world. Only journalists can decide what this view is to be; but to do so intelligently they must face up to the fact that no form is without bias, and that the biases of the current news form clearly are less than optimal.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Power and The People —the case of Con Edison

ROGER STARR

MANY working marriages have been ruined by improvements endorsed by authority. One partner, mildly annoyed with the other, may turn to a clergyman or a psychoanalyst, only to find this expert illuminating all too brightly the defects which custom had hitherto obscured. Some such clarification seems to have soured fatally the wedlock between Consolidated Edison Company and the City of New York, which it supplies with electric power.

True, the relationship had never been idyllic. Over the years, Con Edison made smoke, tore up streets, and exuded—in a city which consistently preens itself on hypermodernism—the administrative aroma of stale cigars and the corporate image of a roll-top desk. In addition, the company allegedly maintained a vast lobby of upstate legislators in Albany to protect its downstate interests, charged its residential customers more per kilowatt hour than any like utility in the country, and, finally, showed a persistent lack of interest in communicating with The People—whoever they may be—in a city which keeps more professional People Communicators busy than any other in the nation, perhaps in the world.

For its part, Consolidated Edison might have pointed out to a sym-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pathetic third party that the city required it to bury more of its power lines than in any other city in the nation; charged it so much in taxes on its property that it turned over to the city government more money per kilowatt hour of electric sales than any other American municipal system;[1] levied taxes not only on its real but also on its personal property, and even taxed it on the value of the underground facilities which it made the company and its predecessors install for the general benefit of the city. The company might have complained that the city's unbalanced economy imposed on it the obligation to invest in plants subject to a wildly fluctuating demand that soars to immense peaks at subway and elevator rush hours, and then, in the absence of round-the-clock heavy industry, drops to wheel-spinning lows during the rest of the day. And how could one overlook the city's legislators who, with social consciences burning bright, have urged the passage of vindictive state laws—threatening, for instance, the company's right to cut off service to non-paying customers?

But these mutual recriminations remained mere bickering in an essentially stable relationship—until the voice of scientific authority began in recent years to explain that many of the city's complaints had a basis far more serious than anyone had previously believed. Fear of the danger of power generation to the physical environment began to compound the delays incidental to the process of licensing new power stations and installing their complex equipment. The result was most serious to the electrical system and to the economic system of New York.

A loss of power

As background, it should be understood that, while the Con Edison system had from time to time between 1919 and 1966 suffered occasional shortages in local or subregional parts of its network, and while it had fallen victim to the Northeast blackout of 1965, not once before that year had it ever been forced to reduce voltage throughout the

[1] Comparing Con Edison's local and state tax payments in 1970 with Commonwealth (Chicago) Edison's, we find that Con Edison paid almost 8 mills per kilowatt hour, while Commonwealth paid less than half as much (3.5 mills per kwh). Of the residential customer's bill of $14.82 in New York City for 500 kwh, approximately $4.00 was tax collected for state and city. Of the Commonwealth Edison charge of $10.08, approximately $1.75 was tax collected for state and city. Subtracting the taxes from the total charge, the Con Edison customer actually paid about $10.82 for electricity; the Commonwealth Edison customer $8.23. This difference results largely from higher fuel costs, older plants, and higher labor and construction costs, according to Con Edison officials testifying in 1970 before the New York State Public Service Commission.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

system. Such a voltage drop, the occasion of shame to any power company, means that it is supplying a service inferior to that contracted for. If the reduction in electric potential exceeds approximately 10 per cent, the users' equipment fails to start or shorts out; electronic devices become erratic; elevators stall; subway trains slow down. Expensive damage may occur. The voltage drop, which may be roughly analogized to a drop in water pressure in the mains, results from a deliberate decision by the utility management to spread the insufficient supply of electricity a little thinner among its customers. Otherwise the excess demand placed haphazardly on the power source would result in spotty, unexpected, and perhaps disastrously large drops in certain areas, with some catastrophic failures. In 1970, the New York State Public Service Commission noted that Con Edison had had to lower voltage 16 times.

As a sign of deepening difficulties, the company announced in the winter of 1970-71 that it might not be able to meet anticipated summer peak demand. In fact, voltage drops did occur in 1971, but no major collapse took place, thanks to a cool summer, the installation of emergency gas turbines, the relative good health of the company's major units, and a business slump that restricted demand. But the operating units could not be serviced regularly because of insufficient generating reserves, and no one knows whether the city will be so lucky again in 1972.

Over the short term, which shows little sign of ending shortly, management has tried to reduce its load, a procedure not needed even during the industrial boom of World War II. In the War years, New York was actually a power surplus area, permitting emergency aluminum smelting, a process requiring vast quantities of electric power, in Maspeth, Queens. Turning its back on its own past complaints about inadequate balance in its load characteristics, Con Edison has now cheerfully undertaken a program to get its big users to reduce demand voluntarily, together with a campaign to end "waste" of electricity by small users.

One disadvantage in both efforts is that together they have contributed to a widespread impression that New York's power shortage is permanent; this, in turn, discourages new industrial and commercial entrepreneurs from coming to New York City, thereby weakening the city's tax base, job opportunities, and business climate. A second disadvantage is that the reduction in power consumption by voluntary effort does not provide what the power generator needs to supply energy at the lowest possible financial, social, or even environmental cost—an average power load that approximates the peak-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing daily demand, thus eliminating drastic heat rate changes. A steady base load tends to achieve maximum utility for each major item of capital equipment and to some extent reduces the extra air pollution engendered by a rapid increase in fuel combustion touched off by a sudden demand surge. Spreading the rush hour, for example, might help to lower the climactic peak; increased electric home heating might increase the off-peak load. Asking people not to run elevators when they are not needed (i.e. at non-rush hours) or to turn off living room lights in the evening when demand is relatively low, will probably not affect the peaking demand, except under temporary near-emergency conditions.

The symptoms of Con Edison's growing inability to fulfill its primary mission suggest that the administration of the City of New York should be deeply concerned that its power supply be augmented. But the case is quite the contrary. The city administration has done little currently to side with Con Edison in what has become an endless political conflict between those who oppose any new power plant or transmission line affecting their environs, and the well-financed but politically clumsy utility, which finds itself generally unable to rally its customers to its side, so that to the innocent reader it seems anti-people instead of pro-electricity.

Where will the power come from?

Rural philosophers, who write as though sitting on a porch in the moonlight, can very easily urge urban man to decrease his dependence on electric power so that the landscape can be saved. Thus, the *New York State Conservationist*—a customarily intelligent publication issued by the state government's Department of Environmental Conservation—was able to say in a March, 1971 editorial: "Power blackouts aren't so bad." Urban politicians, facing constituents who have been trapped in subways under the river by power failures, may disagree. But so far, at least, they have been able to find ways to suggest that power failures result from Con Edison's allegedly incompetent management, rather than from the inability of the company to get permission to build new plants that would replace the oldest equipment on the line or provide an ampler back-up margin for outages. In this spirit, Mayor Lindsay recently allowed himself to be photographed while patting "Big Allis," a troublesome generator in the new Ravenswood plant which had been out of order for months. He was quoted as saying that he hoped "Big Allis" would be a "less balky broad" from now on, a sentiment which did nothing

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to speed the approvals needed to construct a Con Edison plant designed for Cornwall-on-Hudson.

The Mayor at one time endorsed the pumped-storage plant at Cornwall-on-Hudson, a proposal which would have provided a method for capturing low-demand period electric power and storing it in hydraulic form to be tapped at peak-demand periods. The *Times* editorial page has consistently fought Cornwall. The Mayor's own water supply officials joined the opposition to Cornwall, claiming, at a late moment in the almost interminable proceedings, that the proposal would endanger an underground city aqueduct which passes below, or almost below, the site. The city intervention came after Con Edison proposed to bury all of the plant (a possibility that followed improved switchgear technology) in order to meet aesthetic objections to the proposal to bury only 80 per cent of it.

The Mayor has favored a so-called "compromise" plan of construction: 800 million KW of thermal generating capacity in Astoria, presumably oil- or gas-fired. But his Environmental Protection Administrator continues vigorously to oppose this proposal, and suggests instead that Con Edison should buy more electricity from Canadian hydropower sources not yet built, or construct the facility on Long Island Sound or Hudson River sites clearly objectionable to other environmentalists.

All of these suggestions imply either that overhead transmission lines capable of carrying one million volts or more would have to be built on a right of way cut through Westchester County or that such transmission lines would have to be sunk underground, or at the bottom of the Hudson River or Long Island Sound—at unacceptable expense. Obviously, the very prospect of overhead high-tension lines galvanizes rural and suburban counties into unified political resistance.[2] Somewhat more startling is the political turmoil stimulated within New York City by such a proposal. When Con Edison sought to expand its use of an existing right of way in Westchester County which it leases from New York City, the demand for increased rent by the city's Bureau of Franchises required four years of negotiation. Ultimately the Board of Estimate, the city's governing body, refused to ratify the agreement because of a demand that the city have the right to buy power brought in over the lines without going through

[2] A recent statement by Brooks Atkinson on the Op. Ed. page of the New York *Times* eloquently denounced a proposed high-tension line which he said would cut across the "natural beauty" of Prink Hill. Like many other opponents of high-tension lines, Mr. Atkinson found it unnecessary to offer an alternative source of power for New York City.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Con Edison's facilities—a curiously inconsistent way to treat the city's largest taxpayer.

Nuclear power

If important parts of the city administration oppose fossil fuel plants in the city because of air pollution problems, while other parts oppose the use of existing rights of way except on terms that make it uneconomical for the utility company, present technology would appear to offer only one further choice that avoids both objections: the generation of electricity from nuclear energy within the city. This, of course, provokes even more opposition, including that of the Atomic Energy Commission.

Con Edison has been trying for years to expand its nuclear plant at Indian Point in Westchester County. In the hearings—now at different stages with respect to different units in what the company hopes will eventually be a three-unit system—intervenors and would-be intervenors have argued that nuclear plants produce or might produce dangerous radiation; that they might explode with mega-tragic consequences; that they overheat the river water; that they kill fish; that the specific Con Edison plants are improperly or improvidently designed; that the existing Con Edison nuclear plant is inefficiently run; and that Con Edison (or the City of New York) really does not need all this power.

The city administration apparently notes that these arguments are made primarily by the wealthy conservationists who were its original political and journalistic supporters. It has therefore contented itself with supporting the long-range Con Edison suggestion of man-made (or man-expanded) islands in the Lower Bay where nuclear generating stations might be built. They would unfortunately involve formidable expense in installing deepwater sheet piling to keep the compacted garbage from washing out and producing damage to the water quality of the whole New York Bight. The garbage itself would take years to collect. The city's power crisis cannot wait for such a solution while the damage to its morale and its economy piles up.

II

The implausible—but apparently valid—hypothesis that the political leadership of a city will derive political advantage from a refusal to act to relieve a power shortage which grossly threatens the public welfare rests on two basic premises. The first premise

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

derives from the voice of outside authority. Thus, New Yorkers who complained of "soot" have now been advised that they have suffered too patiently from a far more dangerous nuisance which does not merely soil the curtains, but corrodes the lungs. The stack fumes contain sulfur dioxide, a gas formed in the course of combustion of fossil fuels with their constituent sulfur. The stack gasses also contain oxides of nitrogen—even more damaging in some opinions than the sulfur dioxide. These dangers are not, of course, immediately evident to the citizenry. The victim in the street may experience discomfort, but its meaning has been supplied by the authorities of physical science. And once authority has explained that the dangers of electric power generation cannot be perceived by the senses of the ordinary man, but only by the special techniques available to the trained observer, the ordinary man can no longer balance the costs of, say, smoke, versus the benefits of, say, air-conditioning. Air-conditioning loses, or, rather, the air-conditioning of *other* people loses. Undoubtedly this will change if increasing power shortages deprive the ordinary man of a comfort he has become accustomed to. Until that moment comes, and so long as power generation is described by authority as *absolutely* dangerous, political leaders must reason that they cannot be hurt politically for their efforts in trying to stop its expansion.

Until the present moment, at least, this calculation remains unscathed, for no one has raised a convincing voice to connect electric power with such general social goals as providing jobs for newcomers to the city, making new mass transit possible, or developing the city's job base. No one has even suggested that electric power itself is needed for the abatement of certain types of environmental pollution, as in sewage treatment. On the contrary, the contemporary voice of authority insists that electricity is generally used for trivial purposes—brushing teeth and slicing tenderloin—for the greater profit of the utility company's stockholders.

The second premise on which the political leader balances his immunity from the political consequences of the power crisis is the assumption that Con Edison will never succeed in changing its public image of incompetence and indifference to the public, even if it does change its institutional color from orange to blue. Those not wholly committed to the priority of political values may ask themselves whether the public appraisal of Con Edison's performance is accurate. But the local politicians seem to feel that they are riding the anti-institutional tide, a state of mind in which the social costs of industrial production bulk much larger in the mind of the now ar-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ticulate public than do the benefits. Political instability—the disappearance of the municipal political machine—shortens the horizon so abruptly that no one in politics worries about what may happen to his successors: *Their* problems will not hurt *his* future. And, of course, the disappointments of the past few years have given great credence to all those who point out with the voice of authority the hidden dangers in man's work. No one seems to notice that the voice of environmental authority, after all, rests its credibility on the same scientific method which made possible the technological developments now cast in doubt.

If these judgments about the political safety of inaction in the face of the power crisis are correct, one must ask what are the conditions under which that crisis can be resolved in New York City. That such a question can arise in the face of dangerous shortage suggests ominously the pressing importance of developing a happier relationship between government-as-regulator and either private-enterprise-as-producer or government-as-producer. If government is to decide, by executive commission or judicial review, what may *not* be done, the crisis cannot be resolved until government is prepared also to decide what must be done to meet the needs of the people without destroying the common environment. If the gloomy predictions of authority are corroborated, it may fall to government also to modify or reduce by regulation the popular demand for electricity. The Con Edison-New York City relationship may give some indication of the readiness (or the ability) of government to assume this responsibility.

III

No reader whose literary researches are limited to the editorial columns of New York newspapers—the New York *Times* as much as the *East Village Other*—would have any reason to consider the possibility that Con Edison has been anything less than grossly incompetent in the conduct of its business. The assurance that marks this negative editorial view bears no relation at all to the difficulty of evaluating the performance of a power company. Even an apparently simple question can be disputatious. How should one more fairly state such a company's profits—as a percentage of sales or a percentage of depreciated plant value?[3] Senator Lee Metcalf of Montana, a vigorous opponent of private public-utility ownership, uses the for-

[3] Depreciated plant value is itself a complex determination. How does one account for the difference, under standard accounting practice, between this figure and the much higher replacement cost?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mer method; but most, if not all, regulatory commissions, concerned to provide a flow of new investment for capital expansion and replacement, establish a rate of return on invested capital as the relevant criterion. This decision merely establishes the starting line for further dispute. A medium-sized and boring library could be filled to the moulding with treatises on public-utility regulations and reports on rate-of-return hearings. The attempt to establish any price by governmental evaluation dismays the onlooker; his presumption on prices and profits must suddenly be rationalized. Given an ideal world, what should determine the price of electric power? The cost of delivering it? How then should one guard against paying a premium for inefficiency, or distinguish between legitimate and unreasonable expenses? If, contrariwise, a utility company is permitted to earn a stipulated rate of return on its invested capital, how does one establish such a rate, or distinguish between productive and nonproductive investments? And how can the rate of return be varied to meet the conditions in the market for capital funds?

None of these questions troubles the local critics of Consolidated Edison, among whom Jack Newfield might be considered typical. His recent "Populist Manifesto" included as one of its few specific planks the socialization of Con Edison so that its efficiency could be improved to match, no doubt, that of the Sanitation Department or the Transit System. Mr. Newfield, avoiding details, suggests merely that if public officials were "responsible" for the utility's shortcomings, they could not "permit" them to continue. I find minimal substantiation of this prediction in other municipal service systems in New York City.

Some other pertinent tests of utility management might be suggested. One should be the extent to which the company has initiated pioneering steps, later widely accepted, in the production and distribution of power. A predecessor company, started by Thomas Edison himself, was actually the first electric power company in the nation. (It, along with a constellation of other small New York companies, was eventually vulnerable to acquisition by the Consolidated Gas interests, which alone held pertinent street franchise rights. From this emerged the unified Con Edison system in 1936.) Since these early days, the Consolidated Edison record for successful innovation has been spotty, but much better than the popular critics allow. Thus, parts of the Con Edison network were slow to see the construction advantages of pulverized coal over the familiar stoker coal, and as a result several plants, notably Hudson Avenue in Brooklyn, had to be converted at considerable expense. On the other hand,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Con Edison early saw the advantages in three-phase alternating current distribution, establishing a system that has been widely copied. Con Edison pioneered in the underground transmission of 345,000-volt current. It—or more properly, its predecessors—began the business of central generation of steam for apartment house and office building distribution.

The company also was an early demander of effective electrostatic precipitators, developed gas distribution devices that were widely copied throughout the industry, and constructed the first full-scale sintering plant for converting fly ash to lightweight concrete aggregate. The latter, incidentally, was an economic failure and has since been closed, partly because the property tax on utility *machinery* (and not simply real estate) resulted in a substantial handicap on the product, which had to be sold in competition with similar construction materials produced by non-utility-owned plants. The local tax load has had a distorting and somewhat crippling effect on Edison experimentation, as has the nuisance problem caused by the close proximity of millions of customers. The utility company in the United States with the most widely respected record for profitable innovation has been American Electric Power, serving a number of the Central States with thermal plants located in rural areas near the coal source, and subject to lower local tax rates and less pervasive local regulations.

In the temper of these times pioneering or innovative efforts by a utility company are less highly regarded than they were a few years ago. Then, editorialists respected large-scale innovative development for its presumed economies. Now, other characteristics, including particularly the unforeseen environmental consequences, look more important. All utility economists agree on the importance of scale in lowering unit generating costs. Con Edison installed the largest steam generating unit in the nation in its Ravenswood plant; unfortunately, the unit has developed repeated malfunctions, leading the New York *Times* now to question the wisdom of so large a generating unit, instead of two smaller ones. There is no record of *Times* opposition to the general belief of utility economists when plans for the vast generator were first announced. Con Edison was also the first utility company in the United States licensed to construct an atomic-powered electric generating station. Greeted with enthusiasm at the time, the plant has recently been attacked for its fish kills, which have no direct relationship to the atomic energy, but result from the sucking of large quantities of river water into the plant for cooling purposes. The fish came in with the water, inevitably, according to Edi-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

son's critics. Con Edison, on the other hand, admits that its water screens were ineffective in their original design, but claims they have since been improved.

The extent of constructive innovation is generally taken as a key virtue in the evaluation of industrial companies; those whose performance has generally been esteemed most highly include, in the postwar years, IBM, Xerox, Polaroid, Eastman. Companies engaged in activities in which there is no competition to stimulate innovation, and no opportunity for new product development in order to expand the market for products, have fallen into general disrepute among stockholders; the electric-gas-heating-steam utility is a prime example of the latter type of company. It finds itself peculiarly disadvantaged in a city whose volatile temper is established primarily by the stock market, the communications industry, and the performing arts.

Commentators on the electric power industry, including a White House task force headed by S. David Freeman, noted the absence of serious research by the operating utilities. Chairman Luce of Con Edison has accepted these criticisms as valid; yet it seems absurd for individual operating companies to pay separately for technical research which would ordinarily be undertaken by the manufacturers of generating equipment, turbines, and switchgear. In any case, these manufacturers are in competition with each other (or, at least, they were supposed to be in competition with each other) and must regard research expenses as necessary to their business life. If the operating utilities were to band together for common research, their contributions would have to be approved by state regulatory agencies, each of which has its own rules to cover research expenses. While it is true that regulatory agencies concern themselves with the health of the industries regulated, this concern is not always demonstrated by the rules adopted. The most vigorous of utility officials find themselves—and this goes for some of Con Edison's officials with the reputation for forceful action—early getting into the habit of daring the regulatory agencies to stop them from doing what they consider necessary. While it is surely important to defy government agencies on occasion, the habit in business officials may become pernicious; one tends to prefer one's own judgment to the niceties of law.

Two years ago a consortium of private contractors were prosecuted for conspiring to rig Con Edison bids and divide certain kinds of construction contracts between them. Their lawyers sought to suggest that their conspiracy was organized with the blessing of a de-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ceased Edison official whose reputation for constructive achievement and hardheaded independence was widespread in the industry. Apparently he had wanted the company's most difficult and pressing construction work to be handled, not by the lowest bidder, but by those whom he himself considered best qualified. The court refused indignantly to hear such testimony about a deceased official; the companies ultimately pleaded guilty; but in a recent report to stockholders, Chairman Luce stated that many of these companies were still doing business with Con Edison because he had found that they were best qualified to perform special work under emergency conditions that threatened service. The unparalleled complexity of Con Edison's underground distribution setup, in which electrical conduits are intertwined with gas, water, telephone, sewage, steam and transportation installations, helps to increase the dependence of Con Edison on outside contractors; similar companies in other cities with a much higher percentage of overhead distribution can train their own crews to do transmission repair work, with total spatial separation from other systems' installations. All of these matters make more difficult the evaluation of Edison's performance in its primary mission, just as all of them foster business-government habits that may lead to gross legal and public policy difficulties.

IV

But all of this treats only the basic power production and distribution mission of Con Edison. In fact, the utility has a number of other roles, on which its performance should properly be revaluated.

The most important of these is tax collection.

Con Edison is New York City's largest taxpayer; this fact is apparent on the bare fiscal record, but it does not constitute a precise statement of the case. Actually, the utility is the city's largest tax *collector,* extracting more than $200 million in local taxes annually from those who pay electric light and power, and gas and steam bills—without their ever recognizing that they are in fact paying taxes other than federal income taxes, which (incidentally) constitute an insignificant part of the Edison tax bill. As the city's tax collections cover approximately one half of its annual expense budget (now running at $7.8 billion per year), the taxes on power use are providing about seven per cent of the total taxes produced by New Yorkers. In comparison, the stockholders and bondholders of Consolidated Edison receive less as interest and dividends than the city government receives, without its having spent any money on the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

physical plant to produce or distribute the power.[4] Of course, without the city street system which the city paid for, the distribution of power would be extremely difficult; and the fact that city streets serve not only as conduits for the movement of goods and people, but as cleared terrain for the conveyance of power, water, sewage, and other necessities of communal life sometimes seems to escape those who write about the manifold advantages of rail mass transit over street traffic within the city.

These remarks are not intended to draw up a balance sheet indicating the justice or injustice of the tax imposts borne by those who use electric power, or who pay rents which include charges for electric power and hence also pay taxes on the facilities provided by the power companies. The crude need for tax revenues is more important than any abstract determination of justice, and power costs represent so minor a part of the family budget that the increased cost in those charges on account of taxes escapes detection by most consumers.

Of far greater interest is the fact that the taxes are collected *within* the charges of Con Edison, and if they are not wholly painless to the consumer, they are nevertheless wholly blameless to the government of the municipality. Con Edison takes the blame, and part of the working success of the marriage between the utility and the city government was its willingness to accept the blame with little public complaint, a reticence which is not typical of utilities throughout the nation. Other utilities have spent considerable sums of money advertising to defend their profit-making status and to explain their function as tax collector. Senator Metcalf has compiled and ordered a list of the nation's public utilities based on their expenditures on institutional advertising of this political-economic type. Con Edison occupies a place of relative honor in the Metcalf catalogue, 103rd in declining order of expenditure. This, no doubt, represented part of the long-continuing arrangement between Con Edison's senior operating officials and city governments: In return for the quiet exercise of its responsibility as a tax farmer, the utility's operations would be minimally interfered with. This does not suggest that the utility lacks other means—buying tables at political dinners, supporting pet charitable enterprises—for solidifying its proffered cooperation with city officials.

---

[4] In 1970 interest on long-term debt actually representing earning assets (excluding interest on work in construction) amounted to $105 million. Dividends on all classes of stock amounted to $108 million. The local and state tax bills together amounted to $247 million, or over $30 million more.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

As civil service reform narrowed the number of "exempt" jobs in city government, Con Edison and other New York City utilities found a further way to ingratiate themselves with government. On the suggestion of a political leader like the late John McCooey of Brooklyn, a deserving member of the party faithful could be placed in a common laborer's job with a minimum of damage to the company's operations and a maximum of lubrication to its government gears. The practice gradually died out, probably due to the pressures of unionization, the use of subcontractors, and the mechanization of the digging process. Currently, Con Edison employs only 1,257 common laborers in all.

From time to time observers suggest that the transfer of Con Edison to public ownership would reduce rates; surely, relieved of the obligation to pay local taxes, and (perhaps) able to sell tax-exempt municipal bonds to pay for its capital investment at a lower interest cost than taxable industrial bonds and preferred stock, the utility should be able vastly to increase its profits. Most of the difference would represent a net cost to the city, in the form of reduced tax receipts. Sometimes those who argue for public ownership of Con Edison suggest that the objective would be to lower rates to the consumer; sometimes they suggest that the objective would be to increase the city's revenues. These two goals are clearly incompatible. One—the lowering of power charges—directly benefits the public. The other, increasing the city's revenues, conveys only a generalized social benefit. No great prophetic talent is required to imagine the demands that would be made on the city to lower its power charges to the poor suffering public. This is a game from which all political people will derive short-term benefits, and only long-term problems. Undoubtedly the cries to socialize Con Edison will rise constantly, but some of those who raise them, particularly in the administrative and executive rather than the legislative branch of local government, must profoundly hope that no one will take them too seriously.

V

A second mission for the electric power company is that of acting as a business generator and developer for the region in which its facilities are located. This, at least, has been a traditional role played by utility industries in cities other than New York, power being an essential requirement of any manufacturing or commercial operation. In this respect, the severest of Con Edison's critics stand on more solid ground. Even one favorably disposed to the company and its

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

management would be hard put to recall a single occasion on which the top management of Con Edison said anything or did anything on even the simplest "good for business" basis to bring new industry to New York City, or even to discourage the exodus of any of the major industries or individual enterprises which have been moving out from the city. One cannot recall a single occasion on which the top management of Con Edison took a stand, even what liberal critics might call a "benighted" stand, on city government policy which might have been helpful even in the simplest, crassest sense in the expansion of its own marketing of electric power in the city.

When one steps beyond that, the record remains even more bleak. The possibilities of constructive service to the City of New York which were missed by the top management of Con Edison are more awesome. Did the utility management ever back a major campaign (or even a minor campaign) for physical improvement of the city? Did it participate in planning for the region—even if its weight might have been offensive to many who might have considered it illiberal? This does not even suggest that the company should have recognized that solutions to basic city problems—better housing, more effective schools, sounder transportation policies, better recreational facilities—might be helpful in keeping existing industrial users as well as attracting new ones. Not only was the executive leadership of Con Edison not progressive in the sense that the simplest civic endeavor becomes progressive; the management was not even anti-progressive. Its taste was to ignore any of the significant problems of New York City as though, in fact, it did not inhabit the city. Partly, this indifference on the part of top management may have been deliberately calculated to avoid offending the political leadership which controlled matters essential to the company: the issuance of street permits and franchises, the approval of power plant sites, the exercise of condemnation rights, the blocking of municipal competition in the form of modern, yardstick powerhouses. Perhaps persuaded by happy relations with Edison, the city decided to buy from Con Edison the power needed to run its new subway (the IND) in the 1930's. Its yardstick power plants, which energized the older BMT and IRT, were so inefficient and antiquated that they served to demonstrate the economy of private operation, rather than the reverse. When the city did, in fact, contract to modernize these plants, it immediately sold them to Con Edison.

The indifference of Con Edison's management to public policy questions may thus partly have been motivated by its interpretation of politics, but it seems also to have been the product of a certain

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

New York attitude. The large corporations making their headquarters in New York deliberately avoid raising their leadership voices to affect city policy. Part of the characteristic metropolitan attraction, surely, has been the ability the metropolis offers to permit events to pass unnoticed. As the temper of the times has changed, undermining the political party system to which the governance of the city had been entrusted, the studied indifference of the top management of Con Edison to the public policy problems of the city became a specific disaster. While other industrial companies could leave or, perhaps more effectively, threaten to leave, immobility is the dominant characteristic of a power company. To this extent—and perhaps only to this extent—the trouble Con Edison now finds itself in with respect to the siting of power plants and the demand for "consumer-oriented" regulation may be derived from its own past attitudes.

VI

The fourth mission of Consolidated Edison—one which should surely be taken into account in any evaluation of the company's performance—involves its role as a social institution. This role is rather more significant in New York than other cities, for New York may almost be said to require a counterbalance to the great weight attached by its industries and its inhabitants to the business of communication. This activity in turn rests on the conviction that objective circumstances are susceptible to the effects of verbal spells and incantations. There is of course a substantial body of truth in such a supposition, but its truth has limits which are often exceeded by a population which makes its living in the belief that advertising and promotion are omnipotent. As a social institution, Con Edison has been useful to New York City in that it houses a body of men and women—the company employs more than 23,000, almost equally divided between white-collar and blue-collar workers—who think that there are limits to the power of words, and who perceive that electric turbine generators running on superheated steam, a vapor with the solid force of a steel projectile, cannot be speeded up by promises, no matter how humane their intent. While no one would wish to live in a city untouched by the belief that conscious wishes are capable of changing external reality, it is almost as difficult to live in a city in which *everyone* believes in the ease of shaping reality by words. Then there is no one to calculate the price of change, nor to insist that there must be limits beyond which it cannot quickly move without exciting forces destructive rather than the converse.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Almost from the time of its consolidation in 1899, New York City's major employing industries have included those whose products are purely verbal and abstract; printing, book and magazine publishing, the theatre, radio and television broadcasting, advertising, higher education. Contrariwise, its heavy industries, including shipbuilding, ore reduction, sugar refining, transportation, have steadily declined. New York, according to the multi-volumed Harvard-MIT study chaired by Raymond Vernon in 1960, has specialized in the fashion industries, and those nascent industries (like, say, plastics fabrication) which require a relatively high degree of initial conceptualization. Those which have survived conceptualization and embarked upon continuing production generally move elsewhere.

The fashion industries are themselves based on the notion that articles of clothing have no basic and ideal format: In the world of fashion there is no such thing as a pure or *real* dress, apart from the conception of a dress formed in the mind of a taste maker. Just as New York, the fashion center, concentrates on products influenced less by the physical reality of the materials from which they are made, and more by the wishes and whims of the maker, so there seems to be a large body of New Yorkers who believe that social reality can as quickly and readily be adapted to the ideas propounded by the speaker, whoever he may be, who promises: "We can have whatever we want." If true, this last promise becomes true only over a stretched-out time scale and at a social cost which may mean that the "we" who *can have* will turn out to be quite different from the "we" who *now want*. The notion that change is expensive, even in human terms, or perhaps especially so, needs some emphasis in a relatively fluid society in which the verbalists enjoy wide acceptance. Many students of democratic society have told us how important it is that the body politic contain a number of different human strains, nurtured differently, and holding as paramount divergent social values. The "balanced community" has become a tedious cliché, but it may have some substance under certain circumstances. Thus, when I was in Poland a Warsaw planner explained the location of a steel plant in that city—at a relatively great remove from the sources of iron ore, coke, and limestone—in terms of the need for a "balanced community." Warsaw, he said, required the presence of heavy-industry workers as a less volatile, more "conservative" element in the urban population. Without them, Warsaw tended to be too "verbal," too much populated by government officials, communication workers, and students.

In this sense, Con Edison, almost the only truly capital-intensive

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

heavy industry in the city, has become a social institution of some significance. It has, quite carefully, and with what we must assume was the deliberate intention of management, developed an employee system in which the identification of employees with the immutable and objectively finite characteristics of a productive system has been very close indeed.[5] Naturally, there has been over the years a self-selecting tendency in all of this. Those likely to be happy in an environment marked by machines as heavy, schedules as inflexible, and fashions as immutable as steam-power turbo generators, field magnets, and current induction find their way into Con Edison. But the system has worked hard to develop an esprit de corps in its employees. It has, in fact, marshalled them (even when their special union argues with the company over wage rates) as a solid conservative force within the city. One would perhaps not like to live in a city in which such a force constituted the only, or even the major part of public opinion, but I suggest that the presence of this cadre in their middle class neighborhoods has tended to dampen the swings of public policy in response to the whims of articulate taste.

In the "System"

The evidence for the existence of Con Edison as a social institution is objectively contained within the covers of a publication called *Around the Con Edison SYSTEM*, which appears 10 times each year and which, in addition to a few articles of general interest, carries news of the company's operations, pictures of employees who have completed significant terms of service (40 years is the minimum term entitling one to have his picture in the *SYSTEM*: 109 employees completed 40 years and had their pictures printed in the June-July issue of 1970), pictures of employees who have accomplished significant deeds of community service, advertisements (free) of items for sale or barter, and announcements of future meetings of various Edison clubs. Twenty-nine clubs of Edison employees and ex-employees listed their contact men in the June-July 1970 issue of the *SYSTEM*. The bonds that tie their members included sports like fishing and karate; hobbies like chess and photography; religious and ethnic affiliation; and geographic location, as in the case of retirees living in the same area in Florida. The observation that members

[5] A catalogue of the employee benefits offered by Con Edison is impressive not so much for the actual dollar value of the fringe benefits offered, as for the inclusiveness of their subject matter. It might be noted that the power industry hires few, if any, temporary employees; it has no "season"—it expects its employees to regard their affiliation with it as permanent.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the police force and their families constitute a special cadre in the general population has become commonplace; a quick reading of a few issues of the *SYSTEM*, a number of attentive rides on the crowded elevators at the Con Edison headquarters building in Irving Place, and attendance at meetings of some of the clubs or at outings of industry groups associated with Con Edison, convey the impression that working for Con Edison is also a way of life. One's attitudes tend to be shaped by the experiences of the company, including, perhaps, the overriding sense that the company's activities are vital to the day-to-day existence of the City of New York.

Presumably, the ability to build up a certain esprit de corps should be counted as one of the positive achievements of the management of the utility system, but in fairness one should not idealize the relationship. Many employees in the Consolidated system find themselves in a position in which they are able to "help" business firms which sell to or work for the utility. The rewards of this kind of "help" may be substantial, and there have been and unquestionably now are employees, perhaps even on rather high levels within the company, who have benefited from the "help" they have given. The evaluative question would seem to be how much "help" are the employees in general prepared to extend, and at what point does loyalty to the organization prevent the extension of "help" of the kind requested. At least one businessman who transacted matters with Con Edison over the years rewarded his contacts in the company on a graduated scale which offered lesser persons Thanksgiving turkeys and whiskey at Christmas and more important officials birthday and "education" presents in cash for their children. He claimed, long after he stopped dealing with the company (for reasons wholly unconnected with this aspect of the work), that he was unable to think of any significant way in which he had positively benefited by such payments. They were intended as an insurance policy to discourage unreasonable and unfavorable action against him.

On higher levels in the company, considerations other than those directly related to the augmentation of company profits surely have shaped its conduct. The large, in-city generating station at Ravenswood, completed in 1964, was originally planned for oil consumption only. It has been rumored that President Johnson, anxious at that time to relieve economic hardship in Appalachia, asked Con Edison to provide for burning coal at Ravenswood with a promise to see what he could do to get the pumped-storage plant at Cornwall approved. The story may be entirely apocryphal, but it was taken to mean, by some officials of the company, that if its top management

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were prepared to modify policy in order to win a higher reward later on, similar exercise of judgment might be acceptable at lower levels. In any case, this kind of relationship between government and heavy industry was well within the area of activity hallowed by years of monopoly enterprise under government regulation.

Among the older officials of the company today—older in service, if not necessarily past their early fifties—grave suspicion or even disgust is being expressed quite freely at company attitudes favorable to collaboration with government in the pursuit of what seem to be ideological objectives quite remote from the cost of producing and selling power. The line is not always so easy for an outsider to draw. When the Indian Point Plant Number One killed fish on its water intake screens, no one in the structural engineering department with whom I talked disputed the public's right to question the size of the fish kill. The department was reasonably quick to develop new screen designs. But the line was drawn against those critics who were prepared to stop the plant altogether in order to protect the fish. The first type of criticism was within the boundaries of an acceptable public-company relationship. The second type was a misplaced and incomprehensible ideological distortion of the company's mission. When management implicitly veered toward an acceptance of so drastic an environmental responsibility, loyalty was diluted, at least among many of the senior members of the company. To what extent these attitudes are shared by newer employees in middle and lower-middle management and technical services could scarcely be determined, even by a survey, and it is equally tantalizing to speculate what the effect of these managerial attitudes towards a changing view of the company's role may be—if there is one—on the non-managerial working force.

Thus, in carrying out the fourth of its missions—the development of the qualities of a social institution—Con Edison's success is quite difficult to evaluate. One should consider the difficulty of maintaining interest in the production of something which is itself unchanging from year to year. There are no problems of packaging, of design, of model change, no standards of comparison in the form of manufacture by others against which to measure one's own performance. This helps the self-selection process of the individuals who choose to work for the company; it also dampens, one would imagine, many kinds of initiative that a changing product line releases among those working in an enterprise of a wholly different type.

The self-selection process of the Edison employee also seems to have represented the extension of social prejudices. Glancing at the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pictures of 40-year veterans in the SYSTEM, one finds not a single black face, not a single Jewish name. Although names may be confusing, the impression is irresistible that a high proportion of the Con Edison senior employees are not of old American Protestant stock, but rather came to work at Con Edison as their cousins went to work in the police force: They were the Irish, the Germans and Poles, and latterly the Italians, all of whom were at one time suffering from some of the inferior status accorded to non-Protestant Americans all too recently. Whether by deliberate design and the prejudices of former managements, or because they tended not to find promising careers in the utility business, Jews were conspicuously not included. Nevertheless, there have been a few well-known Jewish employees, particularly on the business side (after all, many of the office building and apartment house bulk buyers were Jews), and even a Jewish vice-president. Recently, at least one Jew has appeared on the board of trustees of the company.

Very recently, the company has made a point of hiring black and Puerto Rican workers. Until this push, the only blacks one encountered in the Con Edison headquarters building were operating the elevators. A recent publication for stockholders proudly announced that over 50 per cent of the employees hired in 1970 were black and Puerto Rican. They have been working in all branches of the company, though none has yet advanced to the rank of officer. There are black officers in other public utility companies in the United States, and presumably there will be some also in Con Edison shortly. The present board of trustees has no black member, and one woman. Curiously, the well-organized, centrally directed employee system, with its special sense of participation in the essential and unambitious job of producing the power that runs the city, will make it easier for the employees to accept a state of affairs that may run counter to their prejudices. But no one knows what might be the effect of the constant public relations barrage that has been levelled against the company. Will it frighten the employees into better service? Will it merely increase their cynicism and lead to an easier rationalization of the "help" to an outside businessman which a Con Edison employee can conscientiously offer and benefit from himself?

VII

Those politicians and civic agencies which have refused to support Consolidated Edison's efforts, and swaddled themselves with the assurance that the company is badly run, have something less than a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

perfect case. The peculiar nature of the New York City power demand, the extent of underground service in the city itself, the difficulty in expanding the growth of power usage and developing a higher total load factor—all of these problems are intractable to the efforts of management. Doubtless, a management could be found which would broaden, as the present management is trying to do, the civil smile with which this large, heavy industry turns its face to the public. But whether it is in its power to do much more than this is not so clear.

Charles Luce, chairman of the board of the company, who was brought in three years ago in an apparent effort to break the opposition barriers to the construction of new facilities, has repeatedly stated that he believes that the contrasting values of environmental protection and power generation can be brought into a compromise adjustment by the hallowed processes of discussion and reconciliation. Those who believe in the efficacy of such methods generally describe them as "democratic," and even a cursory reading of current periodicals unearths a fair body of discussion of the oncoming period of "corporate democracy." The notion that corporate policies will be determined in the future, not simply by a board of directors primarily motivated to ensure the profits of a profit-making enterprise, or the major corporate purpose of a non-profit or governmental enterprise, follows in the line of Mr. Luce's sanguine prediction. Those who believe in the efficacy of such a pattern must subscribe, at a minimum, to a pair of unspoken hypotheses. The first of these would deal with the nature of man in the industrial state, and would apparently hypothesize that all industrialized men share a substratum of consensual acceptance. Thus, one must believe that after argument has proceeded to a point of time, all the parties will have reached a state of simultaneous exhaustion at which their centrifugal impulses, perhaps requiring greater psychic energy, will give way, and they will be able to reach an agreement. This, basically, seems to be the theory of labor-management warfare in the American industrial state, and it works, though expensively.

The second unspoken hypothesis concerning corporate democratization must be based on the theory that the productive process involves untapped capacity, and that it can absorb the losses entailed in the stripping away of the centrifugal forces until the parties are able to reach an agreement.

Observation of the positions in which the city and its surrounding areas and Con Edison now find themselves suggests that Mr. Luce's hopes may be illusory, and that the belief in the consensual sub-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

stratum which works in labor-management warfare (particularly when the employees have no secondary job to which they can turn, and when management believes in the profitability of its enterprise) will not carry over to the warfare between the power company and those who have been told by the voice of authority that their natural grievances against it have high scientific and even moral justification. There is no apparent common ground between those who require additional power from Consolidated Edison and those who object to the construction of the Cornwall pumped-storage plant up the Hudson River, some 55 miles from New York City and outside the power network—to take as an example the situation which seems to have precipitated the opening salvo in the current conflict between Con Edison and "public-spirited citizens." The difference would appear, in this case, to lie in the fact that the major objectors to Cornwall are not served by Con Edison—they live outside New York City —and are therefore wholly protected from having to choose between the marring of the local scenery or the alleged killing of striped bass not yet born, and a sufficiency of electric power.

It is easy enough to establish the social class characteristics of those exurbanites who have financed the expensive fight against Cornwall, and to demonstrate the symbolic importance to them of this battle against urban demands on *their* natural environment. Yet anti-urban animus is not the whole story. The objections to the construction of the 1600 million KW (now 800 million KW) fossil fuel unit in Astoria, Queens, are almost equally great, although the local people who raise the objections are in fact drawing all their own power from Consolidated Edison and are likely, in the event of a significant failure, to be caught beneath the East River in a subway train. As we have seen, the Environmental Protection Administrator of the city government disagreed with his Mayor over this issue, continuing to oppose even the compromise suggestion made by the Mayor. One must question, therefore, whether a consensual feeling underlies the consumer-power relationship as it underlies those labor-management relationships in which the economic factor is of almost equally overriding importance to those on both sides. The power consumer takes electric service for granted. He does not worry that the objections to a local power plant proposal seriously threaten his supply, for he assumes that there is always an alternative source of supply—somewhere else, perhaps further away—and he is not ready to contemplate the possibility that the particular proposal may, in fact, be the only real possibility.

The second assumption that underlies Mr. Luce's optimism is that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

there is so much excess productive capacity that the consumer's interests cannot be endangered by breakdowns or delays. This belief persists even though the power shortage becomes more serious in New York City and is beginnning to affect the commercial and industrial prospects of the city's people. Moreover, the assumption itself will drastically limit the effectiveness of the negotiation and compromise process on which Mr. Luce places his hopes. It is not, in short, an assumption one would care to rely on.

The dilemma

Certainly, looking back at what has happened in the relationship between Con Edison and New York City since the growth of the deep concern with the environmental issue, one has the impression that in return for a few small and even questionable achievements a very heavy price has been exacted. On the positive side, the city council has enacted a bill limiting the sulfur content of fuel, and we are told that the sulfur dioxide effluent from the fossil fuel plant chimneys has been reduced. Good. But it should be pointed out that the low-sulfur fuel, which must be used in domestic heating as well as power generation, is limited in quantity and expensive. Also, the ash particles produced by low-sulfur coal are somewhat harder to trap in the electrostatic chimney precipitators of the Con Edison system. "We don't care how much power costs," a lady said at a meeting of clean air enthusiasts with a Con Edison official. "Don't you know that?" She was probably speaking accurately on behalf of a group which pays a tiny fraction of its income for power; but power costs *are* rising in New York City, partly because of the sulfur-less fuel requirement, and not everyone is as fortunate as that lady enthusiast.

There are those who will think it good that Cornwall has been at least delayed and perhaps stopped; that high-tension lines are being stopped, pending further appeals; that the atomic energy units at Indian Point are stopped; that larger generating capacity at Astoria has been stopped—but the net of all these good things is that Con Edison has been prevented from expanding to meet the needs of its present and future customers, while its plant obsolesces. The increasing concern for the environmental problem has meant a deterioration of Edison's performance. Its average plant gets older, and new, more efficient, and cheaper units are not available to lower production costs. Voltage drops have become unpleasantly frequent phenomena. The mission of Con Edison to deliver adequate power is not being carried on as well as it was.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Further, the ban on new plants has impaired the second mission of the public utility: its tax collecting ability. The rise in taxes collected by Con Edison represents only a small part of what would have been the tax revenue from an expansion of the plant and of local kilowatt production to actual demand limits, with a reasonable margin for safety (the overstraining of existing and grossly obsolescent units constitutes a generally ignored aspect of the present damage).

The third mission of Con Edison—the one which the utility has generally neglected—the development of local commerce and industry and the support of local civic improvements, has become pointless, in view of the failure of its first two missions. The power shortage has actually discouraged business from locating in New York City, and no salesmanship can compensate for the brute fact of inadequate power.

That the public should accept, almost without questioning, the undermining of the supply of something so important as power, suggests that the strength of the more dogmatic environmentalists may be far greater than one might otherwise have expected. It is axiomatic that any effort to change energy from one form to another, whether for human or subhuman use, involves environmental changes. The problem is to select the type of change which, in the long run, will be the least damaging. Yet no institutional system exists for making this judgment. No regulatory commission, for example, can weigh the environmental costs of hydropower dams in Quebec versus the cost of raising water temperature near an atomic reactor on Long Island Sound or the Hudson River. Nor will any party to one of the fractional decisions freely forego his rights to appeal the administrative decision to the courts, so that not even a decision by a regulatory commission has the quality of finality.

It is easy enough to say that the arguments will stop when people begin to see that the very production of electric power is imperiled; but that is a mere conjecture. The arguments may not stop—and consensus may not be found—until the supply of adequate power has been, not imperilled, but permanently impaired. Nor is it apparent where the social energy would come from to avert what might loosely be called the greatest imaginable urban calamity—the inability of the city to power the transport systems on which its very life depends. Certainly, in New York City's present governmental situation no one seems willing to take the responsibility for such a marshalling of energy in the face of authority's frown and the scorn of the alienated public.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The outlook for educated manpower

ELI GINZBERG

A FORMER president of the American Association for the Advancement for Science wrote in the July 16th issue of *Science* that the United States must develop a "holding pattern" to preserve an excess of technologists. "In the decade after 1980 these scientists in the holding pattern would be prepared to fill important and much needed demands in industry, government, and education." That's a long time to fix people into a "holding pattern"—and it indicates the rather desperate situation which confronts a large section of our educated manpower today.

The sharp decline in demand for trained manpower has affected not only aerospace technologists but in varying degrees all recent college and university graduates who aspired to careers in business or in academic life. College placement officers report a marked drop in employment offers to their graduates. The last annual meeting of the Modern Language Association had a funereal quality—so dismal are the employment prospects for people with newly-acquired doctorates. Historians, sociologists, even economists are having difficulty finding attractive academic offers—and often cannot find even unattractive ones. Similarly, medical researchers, mathematicians, and physicists have keenly felt the cutbacks in research funding,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

together with the highly selective or no-hiring policy of most businesses and educational institutions.

There are additional evidences of trouble: the substantial rise to above five per cent in the reported unemployment figure for young scientists; the fact that on the average the unemployed scientist is out of work for seven months; the slow absorption of recent engineering graduates; the large-scale discharges of technical staff that follow upon reductions in federal grants and contracts (one large private university recently lost $6 million worth of research contracts, representing the financing for 1,000 researchers); the implications of a continuing reduction in the size of the Armed Forces from a recent peak of over 3.5 million to a budgetary ceiling for 1972 of 2.3 million.

One hears Cassandra-like prophecies that the United States has joined the club of unhappy nations such as India, Indonesia, Egypt, France, Argentina, which are plagued with unemployed intellectuals. And some prophets of doom even see the United States as entering an era like that of the Weimar Republic after 1929, when it was unable to absorb the relatively much smaller annual output of German university graduates. No question about it: The situation is difficult; but that it is as desperate as many think, is not so clear.

Why the downturn?

The first and most obvious answer is that the economy slowed down—and with it the demand for trained manpower. In fact, the experts now call the slowdown a recession, but, slowdown or recession, industry cut its hiring drastically; federal expenditures declined for programs that had hitherto generated heavy demands for scientific and engineering manpower; the universities—emerging from their dream world of constantly expanding enrollments and easy access to "soft money" for research—confronted dwindling entrance classes and fewer grants and contracts; the long-term shortage of teachers at the elementary and secondary level, which many had come to view as chronic, proved to be temporary.

But the economy has slowed down before, most notably in the late 1950's and early 1960's, and educated manpower was not so badly hurt. The difference lies in the changing patterns of concentration of this trained manpower and the nature of its support. In the mid-1960's my colleagues and I estimated in *The Pluralistic Economy* that approximately two thirds of all scientists and development engineers were employed in the not-for-profit sector—that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is, their salaries came directly or indirectly from the government. Most of the work force of the big aerospace companies live off federal money, even though their companies' stock is traded on the New York Stock Exchange. In addition, many in academic life, as well as those who work for nonprofit research organizations, are dependent on the flow of federal dollars.

In the four years between Fiscal 1965 and 1969, defense expenditures rose from under $50 billion to almost $81 billion. But during the three subsequent years the defense budget has declined, so that the estimated outlay for Fiscal 1972 is set at $77.5 billion—which, allowing for the erosion of the dollar, represents a sizable decline. Secretary Laird has pointed out that in terms of constant buying power the defense budget for 1972 is about equal to what it was in 1964. Total Defense Department-related employment increased from 6 million to 8.3 million during the expansion, and declined to 5.7 million during the downswing.

Expenditures for space research and technology, another field which is a major employer of scientific and engineering manpower, rose from about $400 million in Fiscal 1961 to a peak of $6 billion in 1966. Thereafter it declined, and the estimated expenditures for 1972 are $3 billion; this does not take into account the further erosion due to inflation. Total employment on NASA programs increased from 47,000 to a peak of 410,000, and then declined to 137,000.

A further complication was Congressional passage of the Mansfield Amendment (1970), which prohibited the Department of Defense from supporting basic research unless the Armed Forces demonstrate that such research is defense-related; this measure cut the flow of research dollars to universities.

Apart from defense and space, the slope of decline has not been so strong, but the pattern is the same. The funds available for biomedical research increased for many years at a rate of 10 per cent per year. But the prestige of the National Institutes of Health began to slip in the middle 1960's, when both the President and Congress became increasingly concerned with the delivery of medical services. Since research has not succeeded in finding answers for cancer, heart disease, or stroke, the political leadership saw more votes in broadening the access of the poor and the middle class to medical care than in enlarging appropriations for research.

As far as federal expenditures for education, manpower training, and related services are concerned, from 1962 to 1967 the federal budget expanded fourfold—from about $1.5 to $6 billion; in the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

following five years the increase has been more modest, particularly when allowance is made for inflation.

Fewer federal dollars meant fewer jobs for scientists, engineers, and other college-trained personnel. Southern California, with approximately a third of the nation's aerospace employment, had 486,000 persons on its aerospace payrolls in May 1968; today it has 340,000—a decline of roughly 30 per cent. The reduced expenditures of Defense and NASA were also the principal factors in reducing the employment opportunities for young scientists and mathematicians in research and development projects at universities or elsewhere. The National Science Foundation has estimated that of the approximately 160,000 doctoral scientists and engineers in 1969, about 60 per cent were based in universities, 26 per cent in industry, and the remainder in government and other settings. However, outside the universities the predominant proportion of doctorates (three out of four) were also engaged in research and development activities. Hence, as R&D funding declined, employment opportunities for young scientists were reduced both on and off campus.

A major user of educated manpower has long been the educational system itself. This was particularly true during the 1950's and early 1960's as schools expanded to cope with booming enrollments; in addition, more and more young people remained longer in school, at least until they acquired their high school diplomas. About three out of five doctorates are employed in colleges and universities in teaching, research, or some combination of both. Folger has estimated (*Human Resources and Higher Education,* Russell Sage Foundation, 1970) that jobs in education at all levels have provided employment for approximately half of all new master's degree recipients. And elementary and secondary education has been the single largest employer of new college graduates; if sizable numbers of married women had not returned to teaching, the elementary and secondary schools would have absorbed one out of every three new bachelor's degree holders.

But here too the situation took a radical turn for the worse. The shortage of teachers had been so severe and so prolonged that the warning signs in changing demographic trends, reinforced by the evidence of easing in recruitment, were largely ignored. One important reason for the present disequilibrium between the demand for and supply of educated manpower is now clear: The dependence of the booming market for trained people on federal programming and financing was not fully appreciated, and little consideration was given to the possibility of a radical shift in priorities in the federal budget.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To see the picture as a whole it is necessary to review what was happening on the supply side. During the 1960's, the number of baccalaureate and first professional degrees awarded annually increased from under 400,000 to over 700,000, and the expansion at the master's and doctoral levels was even more rapid (from 75,000 to about 200,000 for the master's, and from 10,000 to 29,000 for the doctorate). Paralleling this striking increase in the number of college and university graduates was the even more rapid expansion of junior and community colleges. Enrollment in these two-year institutions increased about 200 per cent in the 1960's, and by the end of the decade they were awarding about 180,000 associate degrees annually, or roughly one for every four baccalaureate degrees.

Further evidence of the explosive nature of the expansion of higher education can be found in the striking increases in the proportion of college graduates who entered graduate or professional school. In the 15 years between 1950 and the mid-1960's the ratio jumped from one in six to one in two! Until last year 80 per cent or more of the senior class at a select number of colleges were going on to graduate or professional school. The Selective Service System certainly helped to swell the ranks of both undergraduate and graduate students, as many young men took advantage of the liberal deferment policy. They may have had little interest in intellectual pursuits, but they preferred being bored at school to being shot at in Vietnam.

A key element in the rapid increase in graduate enrollment was the substantial amount of money that had become available for the support of graduate students. Folger reports that in the mid-1960's, of approximately a quarter of a million full-time graduate students, three out of five were receiving support in the form of a fellowship or scholarship. In the natural sciences, four out of every five graduate students received some such support; in non-scientific fields, the ratio approximated one in two. What we see then is a decade—in fact, two decades—during which the demand for educated manpower soared while the supply struggled to keep pace.

The blinding optimism

How can one explain the fact that government officials with responsibility for manpower forecasting, professional societies with a concern for the career opportunities available to their members, education and manpower specialists engaged in monitoring changes

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in the training and employment of personnel—all failed to foresee the approaching turn in which shortages would be replaced by surpluses?

First, most analysts ignored or failed to evaluate correctly a number of critical factors. Although there was no guarantee that the federal government would increase its appropriations for research and development by 16 per cent annually, the fact that it had done so for almost a decade lulled many into the belief that such increases would continue. During my four-year term as a member of the National Mental Health Advisory Council in the early 1960's, I sought to convince my colleagues as well as the senior bureaucrats that we could not count on such large annual increments. They wrote me off as a dismal economist and went ahead on the assumption that each year they would be presented with more money to spend.

This basic miscalculation about changes in the level and direction of the federal budget was reinforced by two simplistic errors. Since education and research were clearly important undertakings, it was assumed that a rich society would want to invest more resources in them; the scientific and educational leadership did not contemplate that the American people might find other fields more inviting for the additional dollars that they had available to invest. Second, the many lobbyists for basic science, defense, space, education, health, etc., had developed considerable skill in marshalling their forces to extract ever larger sums from both federal and state governments. They were by vocation expansionists. The occasional sign that might have led them to moderate their efforts was ignored while they collected new evidence to help justify ever larger appropriations.

The inflation that began in 1964-65 and gained momentum in the following years led to further distortions in favor of optimism, expansion, and more expansion, which in turn contributed to indiscriminate recruiting, stockpiling of talent, and rapid wage and salary advances.

The coincidence of the rapid increases in college and graduate enrollments characteristic of the 1960's and the relatively small number of new doctorates in the early 1960's, which led to the multiplication of doctoral programs, helped to obscure the future. Administrators who projected college enrollments foresaw many additional years of continuing increases and ignored the inevitable demographic leveling off in the middle and later 1970's. They refused to give heed to Allen Cartter's warning in 1965 that a four- to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

five-fold increase in the annual output of doctorates—from about 10,000 in 1960 to between 40,000 and 45,000 in the late 1970's—would create a serious problem since there was little or no prospect that the colleges and universities could continue to absorb their customary 50 per cent of the new crop of doctorates.

The reasons for the present plight of professional and technical manpower may be summed up as follows: 1) a general slowdown in the economy; 2) a change-over from a defense-dependent economy to a quasi-peacetime economy, which affected primarily the aerospace industry; 3) a reduction in space expenditures; 4) the tapering off of federal support for basic research and for education, particularly at the graduate level; 5) the failure of the colleges and universities to observe the demographic trends, which signalled a reduction in the new college-age cohort and the demand for education.

In light of these many reasons for the present upheaval in the market for educated manpower, it might be useful to cite one startling fact: There was no organization, in government or out, that had a clear directive to monitor the situation and that was effectively staffed to carry out such an assignment. Even if such a group had been in existence, it too might have been carried away by the euphoria of the times and erred seriously in its projections. But it would probably have identified at least a few of the difficulties that lurked beneath the surface.

The near and intermediate term

Currently, educated manpower is in trouble. The critical question is whether the trouble is likely to be short-lived (i.e., until the economy rebounds in 1972, as the experts now assure us it will), or the distortions are deeply ingrained and the oversupply of educated manpower is likely to be with us throughout most or all of the decade, as Wallace Brode and Allen Cartter anticipate.

With regard to the demand for educated manpower, there is no reason to believe that the economic recovery will have a major effect in absorbing all those now looking for positions, as well as those who will be coming into the market. The federal government is the major source of funds which determine the hiring of scientists and engineers, and the Administration has made it clear that, even with the cessation of hostilities in Vietnam, there will not be any significant amount of new money for civilian programs such as research and development and education. And the Democratic brain-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

trusters (Charles L. Schultze et al., *Setting National Priorities, Brookings Institution*) agree with this estimate.

While we must not write off the possibility of radical change in the level and direction of the federal budget, particularly if the Democrats win in 1972, the odds are strongly against an increase in federal expenditures that would begin to right the manpower situation. The precarious financial position of most large private colleges and universities will force them to limit their staff recruitment severely (apart from the fact that the pace of new enrollment has slowed down). The large state universities are also in a period of trial and tribulation. For years the legislators appropriated large sums to expand the structure of higher education, for they had been assured by the educational leadership that there was a shortage of trained manpower and that a strong university system was a precondition for rapid economic growth. Now many state legislatures are at odds with the educational leadership. In Illinois the major state institutions requested approval of 280 new Ph.D. programs; the state board is likely to approve six! In New York State the Commissioner of Education recently established a one-year moratorium on the approval of all new doctoral programs.

With the federal and state governments in a tight budgetary bind, and with higher education no longer actively recruiting, the only remaining source of demand for high-level manpower is the private sector. But in the short run—the next year or so—little relief can be expected here; in the face of a slow recovery, most corporations are keeping a tight rein over new hiring. If a new business expansion does take place, we can look forward to a more than proportional increase of professional and technical personnel on corporation payrolls. But in the absence of forces that are not presently discernible, the growth of private demand will not compensate for the weaknesses in public demand.

Although demand is likely to remain low, the supply of educated manpower will increase rapidly. While the labor force as a whole will increase 20 per cent between 1968 and 1980, the number with bachelor's degrees will increase just under 50 per cent, those with master's degrees about 100 per cent, and those with doctorates over 115 per cent. Since seven out of 10 new degree recipients are expected to enter the civilian labor force during these 12 years—the remaining three will continue in school, enter the armed forces, or marry and drop out to have a child—the proportion of educated persons seeking employment will be far higher than in any previous decade.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Officially, the government is optimistic. In 1970 the United States Department of Labor (Bureau of Labor Statistics, *College Educated Workers, 1968-80*) concluded, "The supply and demand for college graduates as a whole is expected to be in relative balance during the 1970's." It foresaw trouble in only three occupations: mathematics, the life sciences, and teaching. In a 1971 study, *Occupational Manpower and Training Needs,* the Bureau of Labor Statistics reaffirmed its earlier optimism: "The statistical analysis of supply and demand thus indicates the likelihood of a rough balance between the overall supply of and demand for college educated personnel for the 1970's as a whole."

But the Bureau of Labor Statistics, the National Science Foundation, and other agencies involved in manpower estimates still base their statistical predictions largely on the projection of past trends. To the extent that their assumptions of stability are false, their forecasts must be revised. We may not be able at this time to discern the principal adjustments that will take place during the next decade, but we are able to call attention to some already under way and others that are likely to follow. We can state unequivocally that significant adjustments will occur; they always do in a decision-making environment with feedback mechanisms.

Adjusting to supply and demand

The first pressure is to reduce the supply itself—or at least the new entrants. The federal government has cut back radically its support for students pursuing higher education. Several elite universities including Harvard, Yale, and Princeton are reducing the number admitted for graduate study. Many graduate centers, while not adopting a cutback policy, are unable to offer financial assistance at previous levels, so that fewer students enroll. There also has been a shift in student interest from graduate to professional schools, particularly medicine and law.

It will be some time before we know how the changed outlook for scientific and technical employment will affect the numbers seeking to enter undergraduate and graduate schools. The short-term effect of a weakening in the job market is to encourage many to continue in school in order to improve their qualifications. But if the market remains soft, and particularly if the salary differentials in favor of degree holders narrow, the likelihood is that a significant minority of potential students may reassess their intentions of enrolling in college or graduate school. The large-scale increases in

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the college population since the end of World War II were stimulated by the attractive career prospects available to the degree holder. If these prospects worsen, the anticipated inflow of still larger numbers may not materialize. The freshman engineering class for 1971-72 is down by over 10 per cent.

While a continuing soft job market may reduce the number of applicants to college and graduate school, and thereby help to reestablish a balance between the supply of and demand for educated manpower, the primary adaptive mechanism is the job market itself. Employers adjust their hiring requirements to the number and characteristics of job seekers; since more college graduates are available for employment, they are likely to be offered jobs previously offered to high school graduates and college dropouts. The college graduate now risks a fall in his expectations. He may have to accept less challenging work, at a lower salary, and with poorer career prospects than he had anticipated. To this personal frustration must be added the unrealized social investment of training people to the doctoral level—$50,000 to $100,000 per doctorate—and the potential social instability that may arise from a large number of disappointed and disgruntled, if not unemployed, intellectuals.

But the market, by downgrading jobs to maintain a balance between the demand for and the supply of educated manpower, is not the best equilibrating mechanism in a sophisticated technological society. The individual who has spent 20 or more years in school acquiring a doctorate, and who spends another decade or two working on a priority public program in the field of space, defense, or health, cannot be declared surplus and told to fend for himself, even if he is assisted by a government grant for retraining or relocation. Professor Paul Thompson of Harvard presented widespread evidence of deep disgruntlement among unemployed engineers to Senator Kennedy's investigation of defense cutbacks in the Boston area. Many of these men felt the country had double-crossed them.

In search of policy

There are at least two ways to view the present crisis with respect to educated manpower. The optimist can point to the fact that during the past 30 years our basic institutions—government, higher education, business—have been able to develop and employ the educated and trained personnel required for priority programs, public and private. We are now in disequilibrium as a consequence

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of a concatenation of circumstances: a radical shift in federal expenditure pattern, inflation not yet under control, a business recession that has persisted longer than expected, the absence of a national policy for the support of higher education and science, the indifferent quality of educational planning, and the sorry state of manpower forecasting.

The optimist will argue that as the foregoing deficiencies are remedied, the difficulties of the moment will recede. The pessimist holds that the present troubles will be compounded in the years ahead: The demand for educated manpower will remain slack in the face of an ever larger number of graduates coming through the educational pipeline into the labor market.

There is also a middle position. According to this view, the current large-scale unemployment of aerospace scientists and engineers, the difficulties of young Ph.D.'s in locating suitable positions, and the restricted corporate hiring of college graduates are signs of trouble. An analysis of the short- and intermediate-term outlook for educated manpower suggests that the trouble is likely to worsen—at least for new doctorates who seek posts in academe or in research. But there is no necessity for the present crisis to develop into a full-blown, chronic disequilibrium between the output of institutions of higher learning and the ability of their graduates to find meaningful positions and careers.

There is much that we can and, indeed, must do, and it is none too soon to begin. The $42 million retraining-relocation program of the federal government and the bailing out of Lockheed provide some modest temporary relief for the professionals in aerospace, but these efforts are not responsive to the major needs. The same can be said of the expanded and improved efforts of the federal government, professional societies, and large corporations at manpower projections and forecasting; these too will provide temporary relief, but private and public institutions of higher learning must face up to the urgent need to improve their long-range planning. All these approaches are overdue, and as they are put into place and reinforced, they should contribute to improved manpower programming and policy. New policies must be developed which take cognizance of the fact that we can no longer rely on the decision making of individuals, the blind responses of the educational system to pressures for admission, and the cues of the market to provide the country with the educated manpower it needs and to assure that it will be effectively deployed.

We urgently need to take the following steps:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(1) To take account in federal budget making of the manpower (particularly educated manpower) implications of the initiation, expansion, and continuation of large military and civilian programs.

(2) To develop a long-run policy for the federal support of science, with regard to both level and rate of growth. Since the federal share is 60 per cent of a $28 billion total, erratic fluctuations are certain to cause serious manpower distortions.

(3) To evolve a long-run federal policy for the support of higher education (doctoral programs) that will help to keep solvent the 100 or so principal university centers and that will provide support for graduate students through a judicious mixture of grants and loans.

(4) To consider alternative staffing arrangements in launching or expanding large federal programs—e.g., health—with the aim of economizing in the use of specialists with long periods of training. (The Dean of Utah's Medical School has recently warned about the danger of a prospective oversupply of physicians, a warning that this writer had sounded earlier.)

The foregoing new policies are urgently required. The earlier they come into being, the faster they are refined, and the better they are implemented, the more likely it is that we will be on the way to moderating the imbalances that have appeared and will continue to appear in the supply and flow of educated manpower.

There is growing recognition in all sectors of society—political, business, intellectual—that the foundation of our national wealth is the competence of our people and its effective utilization. For 25 years we have struggled with reasonable, but not outstanding success to keep the economy at a high level of employment by the use of fiscal and monetary policy. During the past decade we experimented with a supplemental tool—training and retraining—with only moderate success. We have just taken a plunge into uncharted waters with the Emergency Employment Act of 1971, which faces up directly to the federal government's responsibility to create jobs when the economy suffers a shortfall.

The critical question is how quickly we can build the institutional structures required to supplement the imperfect market. If our past efforts at economic stabilization are indicative, it will be many years before we master this new approach. But our success will be speeded if the American people understand the implications of this new Act and agree about the desirability, even urgency, of going down the road of job creation.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Political Economy of National Health

RUDOLF KLEIN

WHEN one starts trying to design an ideal medical care system from scratch—an intellectual sport which is threatening to become an academic olympiad as dissatisfaction with existing services grows and spreads—there is a choice of two basic models. The first is the "market economy" model. Its essential distinguishing feature is that the distribution of resources is determined by market forces. This means that there are cash payments by the consumers of medical care for services received, though there are a variety of ways in which market forces can be rigged and the consumers repaid either through state or private insurance schemes. The second is the "political economy" model. Its essential distinguishing feature is that the allocation of resources is centrally, that is politically, determined. In practice this usually means that services are wholly or largely free, though theoretically and logically this model is perfectly compatible with payments for services.

I have deliberately made this distinction between two "ideal" health care models—though naturally neither is found in its pure form—as an introduction to a discussion of the British National Health Services (NHS)[1]. For most discussions about how best to reform or change existing health care systems fail to attach sufficient emphasis to the fact that such systems are basically machinery for distributing or rationing scarce resources. In other words, the crucial question is who makes the decisions about who gets what resources. All other questions, about whether doctors are salaried or not, about whether the service is free or not, are secondary. And much of the interest of the British system lies in its attempt—common in East Europe but unique in a large Western democracy—to run a "political economy" type of health service.

First, though, is it right to put so much emphasis on the ration-

[1] I have not attempted in this article to itemise my intellectual debt to the many authors whose work I have drawn upon. I must, however, acknowledge my debt to Professors R. F. L. Logan and J. N. Morris and my other colleagues at the London School of Hygiene and Tropical Medicine who fostered my interest in health care systems, and to the various scholars—many of them American—who have written about the British NHS: among them, B. Abel-Smith, O. W. Anderson, H. Eckstein, and R. Titmuss, as well as the one ex-Minister of Health, E. Powell, who has written about the NHS from a politician's viewpoint.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing role of a medical care system and hence on the importance of the power structure within it? To do so, it could be argued, is to concede that resources will continue to be inadequate. Is not the real test of a medical care system its ability to raise sufficient resources to meet needs? If this is so, the power structure of a medical system is less central than its effectiveness as a resource raiser. Indeed, one of the main native criticisms of the British system is that it has conspicuously failed in this latter function. Although the NHS was strongly attacked for extravagance in the first 10 years or so after its launch in 1948—the result partly of naive costings when the service was started, partly of ignoring the effects of inflation[2]—in recent years the emphasis has been quite the other way. There has been a growing consensus—crossing political boundaries, ignoring professional and other ideologies—that the British health care system has failed to raise sufficient financing to provide an adequate service. Clearly, if this view is right, and if this inability to raise sufficient funds is intrinsic to the political economy model as represented by the British NHS, then it is doubtful whether this particular solution to the problem of medical care is worth pursuing.

At first sight this unfavourable view of the British system obtains emphatic support from international comparisons of health care expenditure. The table below, taken from a survey by the Office of Health Economics, suggests that Britain has done significantly worse than the other comparable countries.

Comparative Expenditure on Health Services

	Health Expenditures as Per Cent of National Income		Per Cent of Annual Increase in Health Expenditure
	Early 1960's	Late 1960's	
Canada	7.8	9.7	11.8
USA	7.0	8.2	10.4
Sweden	5.7	7.1	14.0
France	5.5	6.6	13.2
Britain	5.0	6.0	9.2

These figures seem to support the view that under the British system the only rational behaviour for the individual citizen is to maximize his demands on the health services as a patient and to minimize his contributions as a taxpayer.[3] In fact, both legs of this theoretical argument are fractured by empirical facts. Comparisons with other countries show no evidence that the British system significantly increases the demand made by patients; all the evidence, on the contrary, suggests that demand for medical care is influenced by a variety of interacting cultural, social and psychological factors, of

[2] Another cause for disillusionment was the expectation—fostered by the Beveridge Report—that expenditure on medical care would be largely self-liquidating by producing a healthier nation. This was to forget that (to quote Enoch Powell) the appetite for medical care grows on feeding.

[3] James M. Buchanan, *The Inconsistencies of the National Health Service* (London: The Institute of Economic Affairs, 1965).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which the financial one is far from being decisive.[4] Thus the rate of doctor-patient contact is slightly higher in the United States (where fee paying is the norm) than in Britain (where free service is the norm) and lowest in Sweden (where there is a mixed system).

Nor can the financial performance of the British NHS be taken as evidence that this kind of system is bound to be starved of resources compared with systems based on the market economy model. In the first place, international comparisons of expenditure, as is well known, are fraught with danger. In the case of the health services, it is not at all clear to what extent the figures are measuring different levels of resources, as distinct from the different costs of resources.[5] It may well be that the combination of a market economy with the monopoly power of a strongly organized medical profession increases the cost of health services relative to other items in the national income budget; certainly the American experience suggests that this is the case and underlines that soaring expenditure cannot be taken as an indicator of improved services. Conversely, the British experience may indicate that a political economy model health service is better able to prevent relative costs from rising quite so rapidly, and therefore to get more value for money—a point to which I will return later. Certainly the contrast between the British and American systems in manpower and physical resources is not nearly so sharp as the contrast in financial resources might suggest. For example, Britain has fewer doctors (one per 900 population as against one per 670 in the United States), but more nurses (35 as against 32 per 10,000) and more hospital beds (10.1 as against 8.8 per 1,000). Too much should not be made of such international comparisons, once again, because of various difficulties of interpretation; however, these figures are given as a warning against drawing overly simple conclusions from comparisons of spending between different countries.

Lastly, there is the problem that no one has yet devised any way of measuring the adequacy of the health resource provision in an advanced industrial country. In a developing country it is relatively easy to apply some fairly simple criteria: the availability of clean water, midwives, cholera jabs, or beds to deal with acute surgical cases. In a developed country where such facilities are taken for granted, and where the diseases are those of gradual decay and overindulgence, it is much more difficult to find measuring rods. It cannot therefore be assumed that since spending on health is good, more spending is even better. It could well be that some countries are spending too much—particularly if the health services are absorbing resources at the cost of complementary social services. All in all, therefore, the British system cannot be dismissed out of hand because of a supposedly built-in inability to attract sufficient resources.

---

[4] For a discussion of this point, see Nathan Glazer, "Blood," *The Public Interest*, Summer 1971, pp. 86-94.

[5] B. Abel-Smith, *An International Study of Health Expenditure* (Geneva: WHO, 1967).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WHAT, then, are the main characteristics of the British NHS? The first is that health facilities are either owned (as in the case of hospitals) or controlled (as in the case of general and dental practice) by the state. This ownership and control is exercised indirectly through a variety of legally independent bodies—for example, Regional Hospital Boards—which, however, are financially entirely dependent on the central government and are usually appointed by it. Hospital doctors and personnel are salaried employees; general practitioners are independent contractors who get paid on a per capita basis for all patients who are registered with them; dentists get paid on a fee-for-service basis. With the exception of dentistry, all services are free—though charges are made for drug and optical prescriptions. General practitioners and consultants (the senior, and only permanently tenured, hospital grade) can also conduct private practice.

Coexisting with the NHS there is a very small, if growing, private sector based largely on a boom in provident insurance schemes. This is, however, to a very large extent convenience medicine: Those subscribing to insurance schemes are not buying extra skills but extra privacy (such as private beds in state hospitals) or other extra privileges (jumping the waiting-list queue by going to see the consultant as a private patient). It is also largely minor medicine—less serious surgery, for example. Overall total expenditure on private medicine is now probably running at the rate of about £30 million (about $75 million) a year; the current cost of the National Health Service is £2 billion (about $5 billion) a year. The contrast between these two figures (a ratio of almost 70 to one) not only puts the size of the private sector into perspective. It also confirms the verdict of the public opinion polls which invariably record overwhelming satisfaction with the NHS: In other words, in the case of the health services people's behaviour is in line with their professed opinions (though this may be, as some have suggested, simply because people's expectations are low; thus they may be satisfied with the NHS only because they lack standards of comparison and have become conditioned to putting up with the second-rate).

The NHS is financed overwhelmingly out of general taxation. Although social security payments contain a specific NHS element, this contributes only 10 per cent of the total budget; as this element is a flat-rate charge, it is both regressive and inelastic. Payments for services received (dental and drug charges, etc.) contribute another 5 per cent. Various miscellaneous sources (e.g., local authorities) contribute another 13 per cent. But the rest—72 per cent, or nearly three quarters of the total budget—comes out of general taxation. And this, in financial terms, is both the strength and the weakness of the political economy model as established in Britain. It opens the public purse to the NHS and removes economic obstacles to the use of medical services, but it does so in a way which also means that health has to battle with a number of other services in a competitive scramble for money.

This competitive scramble for money is what the more naive text-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

books describe as a rational choice between priorities. For the crucial theoretical advantage of the political economy model health service is, of course, that it allows the central government to allocate resources in what is (hopefully) the most rational, the most effective and the most democratic way—assuming, for the moment, that we actually know what these terms mean, and that they do not point in opposite directions. Thus the British system allows the government to decide its priorities first between public and private consumption (do we raise more taxes to finance greater government spending or do we leave more money in people's pockets?); then between different forms of welfare or social spending (do we build more hospitals or more schools?); and finally between different sectors in the same service (do we concentrate extra resources on accident departments or geriatric beds?). Further, the British system of central government budgeting has now developed a fairly sophisticated five-year forward projection which provides a framework for deciding priorities between different programmes. So in terms of the formal machinery, the textbook description is not wholly misleading.

How do the health services fare in this kind of system? Here the British evidence is inconclusive. It suggests that health over the past 20 years has lost ground when compared, for example, with education. While health's share of the GNP rose from 3.7 per cent in 1951 to 4.1 per cent in 1968 (the entire increase taking place in the 1960's), that of education rose from 2.2 to 3.9 per cent in the same period. The contrast is even stronger when capital expenditure is considered: Compared to education, the NHS has been scandalously starved of investment funds for new hospitals and the like. In regard to other forms of government expenditure, however, the contrast is not nearly so great. On the whole, the NHS has done perhaps marginally better than most other government-financed services; indeed, education's larger share is probably explained by demographic factors and the automatic escalator effect of past policies rather than by a conscious decision to give it greater priority.

Looking to the future, the current five-year expenditure programme—revised last year by the incoming Conservative Government—provides for health expenditure to increase at an annual rate of 4.7 per cent (at constant prices and allowing for the relative price effect, i.e., that the costs of a manpower-intensive service like health will go up faster than prices generally). This is almost twice the rate (2.6 per cent a year) at which government expenditure as a whole is expected to rise, and considerably more than the current growth rate of the British economy. So health will continue to take up a rising share not only of government expenditure but of the national income. Also, in terms of priorities health now seems to be level-pegging with education, where expenditure is due to rise by 4.8 per cent a year.

All this suggests that there is nothing inherent in the nature of the British health service which means that it will automatically lose out in the scramble for public money. The NHS was cer-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tainly starved of funds in the 1950's, began to make good some of the lost ground in the 1960's, and looks set to expand faster in the 1970's. Further, it must be added that the British system suffers from certain unnecessarily self-imposed financial handicaps. First there is the British emphasis on a *free* service. Ideological in origin, this is becoming increasingly empirical in practice; that is, the strongest argument against introducing charges for general practitioner consultations or hospital treatment is now the administrative inconvenience and cost of introducing fees at the point of sale (assuming that the vulnerable sections of the population—the young, the old, the pregnant and the poor—should be exempt). If it were possible to overcome the practical difficulties of imposing charges only upon those who can afford to pay, their introduction would certainly not affect the basic nature of the British NHS and would add to its revenues. The other self-imposed handicap is that the NHS element of the social security payment is a poll tax. If it were to become (as in Western Europe generally) a graduated contribution, the yield would not only become inflation-proofed but would also increase with rising incomes. Also, it has been argued by a former Labour Secretary for Health and Social Security[6] that it would be politically less painful to increase graduated contributions than a regressive poll tax; this, however, is a very dubious proposition. Income tax is also a graduated contribution; but politicians are not conspicuously eager to raise this tax, whether on behalf of the NHS or any other government service. Finally, tax payments and social security insurance payments have become so confused in the minds of the British taxpayer (largely because of the pay-as-you-earn system of deducting both sets of payments from wage packets at the end of the week), that it is very doubtful whether the relabelling of tax contributions to the NHS as insurance contributions would suddenly create a greater willingness to finance health expenditure.

Finally, it's worth stressing one built-in advantage of the British system which is highly relevant in comparing its financial performance with that of other countries. I have already mentioned the inflationary effects on costs of the monopoly power of the medical profession in a market economy situation. In Britain, however, a monopoly buyer (the state) faces a monopoly producer (the medical profession)—though this picture is distorted by the international competition for doctors. This situation introduces its own complications: Bargaining about payments to doctors becomes a power struggle, dressed up in theological arguments about the status of doctors (influenced by a persistent "golden age" myth of the pre-NHS days when all doctors were wealthy and socially eminent—a myth which extends to the profession as a whole what was true only of a minority).

Attempts have been made to produce schemes which would graft

[6] R. H. S. Crossman, *Paying for the Social Services* (London: Fabian Society, 1969). For a discussion of this problem, from a critical market economy point of view, see Arthur Seldon's *After the NHS* (London: The Institute of Economic Affairs, 1968), where he advocates a voucher system of payments.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

some of the characteristics of the market economy type health service onto the British system. The argument here has been that the citizen as a buyer of medical services might be prepared to pay more than he would in his role as a taxpayer, and that therefore it is essential to tap the pool of consumer expenditure on behalf of the NHS. The most elaborate scheme—worked out by a committee of the British Medical Association[7]—proposes a system of charges which would then be recouped by patients out of insurance policies. These policies could be either private or state-backed; in either case, however, they would be compulsory for a minimum level, though no maximum would be set for those who wanted to buy themselves extras in the way of medical treatment. But in the context of the existing organisation of the NHS, it is difficult to see the advantages of *compulsory* private insurance (which is expensive to administer) over compulsory state insurance. Private insurance would only begin to be attractive if the organisation of the NHS were greatly modified to allow for more private provision of medical care, i.e., if the present political economy model were largely transformed into a market economy model. Interestingly enough, though, the British Medical Association recoils from this logical but drastic conclusion; hence its attempt to square the medical care circle.

The evidence reviewed so far does no more than suggest that nothing inherent in the British system means that health services of this type are bound to be starved of resources. If British politicians had given the NHS the same priority as education over the past 20 years, Britain's rate of expenditure on health would now be much the same as that of other comparable countries. The politicians' order of priorities can be challenged; indeed, it may provide support for advocates of the market economy type system, who can argue that such decisions about priorities should be taken by consumers rather than politicians. However, there is nothing inevitable about such an order of priorities, and as we have seen, it has begun to change in recent years. In any case, given that the study of the macroeconomics of welfare resource allocation is still at its flat-earth stage, there is no rational way of weighing investment in education as against investment in health.

So far our discussion has dealt with the external constraints on the health service under the British system. But how does it actually work? Does the system of central direction and planning in fact allow a more parsimonious and effective use of resources? How does the ideology of the political economy model health service—as an instrument designed to mould the service to the needs of the community as a whole rather than any particular section of it—work out in practice?

To start with, it is worth stressing a number of general points which help to explain the operations of the British NHS, though they do not necessarily apply to the political economy model as

[7] *Health Services Financing* (London: British Medical Association, 1969).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

such. First, the British system of controlling public expenditure suffers from much the same problem that has afflicted British industry: Precisely because it achieved a highly developed form in the 19th century, it has been difficult to adapt it to present-day circumstances. To exaggerate, it is designed to make sure that no one is fiddling with the books or overspending rather than to achieve value for money. The Treasury, one is tempted to say, knows the price of everything and the value of nothing. Until recently very little attempt was made to measure the yield (whether economic or social) of different forms of public investment and spending. Hence in the case of the NHS—with the exception of its first years when the system of financial control slipped badly—the budgeting has been done on the basis of preventing overspending rather than on the basis of ensuring value for money; this partly explains its undercapitalisation.

The second point to emphasise is that the extension of the government's area of activity in Britain since the War, while apparently greatly strengthening the power of the central bureaucracy, has in fact increased its dependence on the advice, health and cooperation of outside bodies.[8] Every advance into a new field has meant involving a profession or pressure group whose support is needed both to obtain information and to execute policies. Nowhere is this more true than in the NHS. To think of the medical and health professions as pressure groups working from outside the system is to miss much of the point. The relationship between the central bureaucracy and the health professions is symbiotic. The latter are strongly represented not only on the staff of the Department of Health and Social Security (DHSS) but on countless advisory committees, as well as on the regional and local boards responsible for hospitals. Thus in the context of the NHS it would probably be fairer to talk about the professionalization of the bureaucracy than the bureaucratisation of the medical services.

Lastly, and this is a point which is frequently forgotten in discussions of the British system's performance, the NHS inherited a very poor administrative cadre at all levels when it was formed in 1948. The tradition of the Ministry of Health—in 1968 amalgamated with social security to form the DHSS—was a laissez-faire one, and it has been slow to attract high quality civil servants and to develop an intelligence system. Similarly, hospital administration—until recently, at any rate—has been a much neglected, low-status occupation; even now the hospital secretary (i.e., administrator) is less highly paid and less highly regarded than the consultant. Historically the British hospital system has evolved out of two main streams: the voluntary (professionally dominated) hospitals and the local authority (lay-dominated) hospitals. The latter had their roots in the 19th-century system of poor law institutions, designed to keep costs down and to be as unattractive as possible to their inmates—

[8] For this point I am indebted to Samuel H. Beer's *Modern British Politics* (London, 1965).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a system which cast the doctor as the poor relation of lay Gradgrinds. Much of the medical profession's continuing suspicion of lay administrators and of local authorities can be traced back to this historical pattern, peculiar to Britain rather than to the political economy type health service as such.

THE combination of these three factors helps to explain the failure of the British NHS to live up to the theoretical expectations aroused by the model on which it is based. As a machinery for allocating resources on a rational, equitable basis, the NHS has disappointed hopes and given new fuel to the arguments of the market economy school. Indeed, when one tries to analyse the planning process, to delineate who makes which decisions about what resources to allocate to whom, the evidence tends to slip through the fingers like so much sand. The experience of the NHS's first 20 years at any rate—for now there are signs of change—is that planning was conspicuous by its absence:[9] Government policy has been made largely by a series of accommodations to cases and events and by the projection to the future of past trends.

The most conspicuous example of this can be found in the geographical spread of resources. The 1971 distribution of resources follows exactly the 1948 distribution, which in turn was largely determined by the Victorian pattern of disease and philanthropy. The Treasury's tradition of financial supervision, the Health Department's passive administrative style and professional conservatism have between them meant that the NHS budget has been planned on a predominantly incremental basis. Those regions which had a great many hospital beds and doctors in 1948 have been given proportionately more money, while those with fewer resources have been given less. The result has been to perpetuate geographical inequalities which have little if any relationship to "need" for medical care, however that may be defined. Thus the London regions spent almost 50 per cent more per capita on their hospital services in 1957-58 than the East Anglian region, a relationship which had not altered 10 years later. Only in 1971 has a new formula for allocating resources been introduced which will gradually over the next decade iron out inequalities between regions, and adjust allocations to need (rather crudely measured by population and age structure) instead of historical inheritance.

This has been perhaps the most conspicuous and well-documented failure in the planning of the NHS; it is a failure, though, which can be traced to certain specific features of the British system not inherent in the model itself. However, the scope for rational planning in health services, in the present state of the art, is still severely restricted. It is relatively easy to discern such self-evident irrationalities as the maldistribution of resources according to a historical pattern which has not been adjusted to changed circumstances. It is much more difficult to delineate a "rational" pattern: The prob-

[9] H. Eckstein, "Planning: a Case Study" *Political Studies*, IV (1965), pp. 46-60.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lem of measuring "need" for medical care in an operational sense has yet to be defined, let alone solved. In retrospect, it may therefore be just as well that the British system has not tried in the past 20 years to do any ambitious planning. Given the unavailability of any rational decision-making framework, the result might well have been as disastrous as the attempt in the late 1950's to predict the need for medical manpower—which led to a recommendation for cutting back the training programme from which Britain is still suffering.

Less well-documented, but perhaps more important than the matter of geographical inequalities, is the performance of the NHS in allocating resources to the different sectors within the health service. Yet this is crucial. For perhaps the central weakness of the market economy model health service is its inability to provide for the needs of the non-earning, dependent members of the community: the young, the old, the mentally sick or handicapped, and the chronically ill. Their needs cannot be covered by a normal, actuarially based insurance scheme, whether operated privately or by the state. Basically the problem here is one of redistributing resources from one section of the community to another. And it is here that the political economy model health service should, in theory, have a clear advantage, since it provides the institutional machinery for carrying out such a redistribution. So the record of the British NHS in this respect is highly relevant to any discussion of the merits of the two models.

The performance of the British NHS on this score has been disappointing. Provision for the old and the mentally ill or handicapped was poor in quality in 1948 and remains poor in quality today. This sector, with its unsuitable 19th-century buildings, has not only suffered badly from the lack of capital which has afflicted the NHS as a whole. It is also underprivileged, undernursed, underdoctored and underequipped. Only now, following a number of public scandals involving the maltreatment of patients in such institutions, has a political decision been made to divert more resources to this neglected sector—a sector which, given an aging population where the over-65's already occupy two fifths of all hospital beds and will on present trends occupy four fifths by the year 2001, is growing in importance. It is a decision which could have been taken at any time since the start of the NHS. It is therefore worth trying to analyse in some detail why it has not been taken before, and why the political economy model in Britain has failed in what should be its prime function: expressing social priorities in the allocation of resources.

ONCE again much of the explanation seems to lie not so much in the nature of the model as in British practice. First of all, the method of incremental budgeting tended to perpetuate inequalities of all kinds, as we have already seen in the case of the geographical distribution of resources. So did the passive attitude of the Department of Health. Again, in so far as the NHS is sensitive

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to public pressure exercised through the political system, that pressure tends to be exercised on behalf of medical provision for the population at large. In a democracy a self-interested majority vote is likely to be given in favour of acute medical provision because everyone can see himself threatened by an early death as a coronary patient in an acute care ward, but not necessarily as a geriatric case doddering along in a hospital for the chronically sick. Finally, and clinchingly, professional pressure is bound to push resources into the acute specialties. The leading professional bodies—notably the Royal Colleges—tend to be dominated by the financially rewarding specialties. Geriatrics, psychiatry and the care of the mentally handicapped are poorly regarded professionally and therefore poorly represented. The British system, like others, therefore has a built-in bias in favour of acute medicine and surgery, and until now the political impetus coming from outside has been too weak to overcome it.

The influence of the medical profession on public policy has, if anything, been increased by the NHS. Indeed it is tempting to diagnose a kind of tacit agreement. On the one hand, under the British NHS the doctor in effect administers the rationing system. It is up to him to decide who should use the scarce resources available —who should be treated in the hospital, who should go on the waiting list, and so on. In short, the British system is one of rationing by medical discretion (though obviously the scope for this discretion is affected by the availability of resources). The fact that the British doctor has no personal financial incentive in offering treatment may help to explain the ability of the NHS to contain costs; conversely, though, the system doesn't offer the doctor any monetary incentive to improve efficiency. In any case, running a rationing system is not a particularly enjoyable role. This may help to explain some of the discontent of the medical profession with the NHS and the doctors' continuing demands for extra financing to ease their rationing role.

In return for playing this crucial if burdensome role, however, the medical profession has achieved a position of enormous power in the NHS. Its influence in the formulation of national policy has already been indicated. Even more important is the medical profession's ability to dominate the execution of national policy and so to make the administrators dependent on its good will. Paradoxically, the medical profession is most independent and powerful where its position appears least so. Hospital consultants are salaried employees, yet dispose of their beds with complete freedom from any control; there is nothing in Britain which resembles a medical audit or any form of quality or efficiency control. General practitioners, who bitterly fought salaried status and are independent contractors, are subject to rather more, though still slight, supervision over such matters as the amount of drugs prescribed. Finally, dentists, who in theory ought to have the greatest freedom since they work on a fee-for-service basis, are in fact subject to the most detailed checks on the quality and amount of work performed. In

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

other words, the British experience suggests that doctors can achieve most power when they infiltrate the health service system itself; by insisting on "independence," general practitioners have remained on the periphery of the NHS in every sense, isolated from the hospital service and from power.

The contrast between the operations of the British NHS and the British education system is instructive here. Both are centrally directed. But in the case of education, government policy is executed by elected local education authorities, who also contribute some of the finance from local taxation (rates) and have some discretion about the organisation and equipment of schools. In theory, such a system ought to be a far less effective instrument of central planning than the NHS, which is entirely government-financed and government-directed. In practice, it is a far more effective instrument. The distribution of educational resources throughout the country—though not ideal—is far less glaringly unequal than that of health resources. The Department of Education has a certain "norm," laying down the ratio of teachers to pupils, while the Department of Health has never established what the "norm" should be for, say, length of hospital stay or number of operations performed per session. The Department of Education keeps a close check on "quality" through a corps of inspectors; the Department of Health waited until 1969 before establishing the Hospital Advisory Service, which carries out a roughly similar role. (The difference in title is significant of the deference paid to professional susceptibilities in the NHS.)

Lastly, in education there is an opportunity, though within fairly restricted limits, for local opinion to make itself felt both in the allocation of financial resources and in the organisation of the schools. In the NHS there is no such opportunity. The system of nominated boards to run the hospitals at regional and local levels —hopefully selected to represent local interests and views as well as those of the professions—has not been a success, and looks like it will be a well-merited casualty of the reorganisation of the service that is now being planned for 1974. It has led to a confusion of the representative and the managerial role, and neither has been performed altogether satisfactorily. Indeed, one of the most conspicuous weaknesses of the British system has been its failure to think through the results of abolishing the market role of the consumer. Theoretically, in the political economy model the consumer-as-buyer is replaced by the consumer-as-voter. In practice, though, the British experience suggests that in a highly centralised system —where, in effect, Parliament is the only forum for debate and Whitehall the only bargaining place—health lacks the political salience for the various views of consumers-as-voters to be crystallised, articulated and pressed.

I HAVE not tried in this article to give a complete picture of how the British health service works. I have tried, rather, to analyse its strengths and weaknesses in terms of what these reveal about

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the model of which the British NHS is only one example and about the kind of problems that have to be solved in this type of system. Hence my emphasis on trying to distinguish between weaknesses inherent in the model itself and those which can be explained by native British circumstances and history. However, the reappraisals of the British NHS that are now taking place as part of the debate about its approaching reorganisation raise an even more general point.

In the past the health service in Britain has been seen as part of a wider strategy for redistributing resources to the more vulnerable or poorer sections of the community, i.e., as an integral part of the whole architecture of the welfare state, of which historically it is indeed one of the original pillars. Yet there is a certain ambiguity in casting a health care system in the role of an instrument for securing social justice. There is, of course, a distributional aspect to the delivery of medical care itself: Do all people have equal access? In this respect the British system probably scores well, though the evidence is rather confusing. The working classes appear to make more quantitative use of the service, while the middle classes seem to make better qualitative use. But a health care system is more than a machine for delivering purely *medical* facilities. A hundred years ago G. J. Goschen, the President of the Poor Law Board and as such responsible for much of the public provision of hospitals, wrote: "The sick poor are not sent into infirmaries on account of outdoor medical relief being inaccessible to them, but either on account of the character and condition of their homes, or on account of some special requirements of their disease, or on account of the patients having no one to nurse them at home."[10]

This dual aspect of the problems facing a health care system, the intermingling of social with medical morbidity, needs stressing today even more than it did in 1870. For given the increasing costs of providing medical services, it is now more than ever questionable whether a health care system is the right instrument for dealing with social problems. The British experience suggests that developing the social services (public housing for the aged, public nurses and home helps to visit the sick and infirm in their own homes) may be the only way of preventing an ever-rising demand on the more expensive health services proper.

Hence the current emphasis in Britain on developing "community care" and linking social services more closely to the NHS. Partly, the hope is that community services can syphon off some of the demand on the NHS. But there is also growing awareness—somewhat late in the day, perhaps—that the health service would have collapsed long ago under the weight of need but for the care given to the sick or infirm by relatives and neighbours. In short, one of the main aims for the future will have to be to devise policies which will support the organic, social network of health care—weakened as this may be by social and geographical mobility, different patterns of housing, and

[10] Quoted in B. Abel-Smith, *The Hospitals* (London: Heinemann, 1964).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

other factors which at present we cannot identify or understand.

This trend suggests that health service planning for the future should have rather different concerns from those which shaped the British NHS in 1948. In particular, the British experience indicates that a health service is not a particularly effective instrument for redistributing resources. To the extent that a health service is asked to play a more general socially supportive function, it is being cast for a role where the medical profession's traditions are a major obstacle and where the skills involved can often be supplied at a lower cost by others. If this view is correct, then the main objective for the future should be to contain rather than to expand expenditure on the health services as such, but to integrate them more closely with, and divert any extra resources to, the socially supportive services. This, at any rate, seems to be the direction in which Britain is now moving, if very uncertainly and not altogether consciously.

CONTRIBUTORS

ELI GINZBERG is the A. Burton Hepburn Professor of Economics and Director of the Conservation of Human Resources Project at Columbia University. . . . LEON R. KASS, M.D., is Executive Secretary of the Committee on the Life Sciences and Social Policy, National Academy of Sciences, and a fellow of the Institute of Society, Ethics, and the Life Sciences. An earlier version of his essay, under the title "New Beginnings in Life," was presented in May, 1971 at a conference at Airlie House, Warrenton, Virginia. A modified version will be published in *Three Medical Futures*, ed. Michael Hamilton (Grand Rapids: Eerdmans, 1972). . . . RUDOLPH KLEIN, former Home Affairs Editor of the *Observer* of London, is now at the London School of Hygiene and Tropical Medicine doing research on the health services. . . . DAVID J. ROTHMAN, Professor of History at Columbia, is the author of *The Discovery of the Asylum: Social Order and Disorder in the New Republic* and a member of the Committee for the Study of Incarceration. . . . ROGER STARR is Executive Director of the Citizens' Housing and Planning Council of New York. . . . PAUL H. WEAVER is Assistant Professor of Government at Harvard University.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CURRENT READING

Radical Chic (cont.)

Evelyn Waugh, in his most fanciful moment, would never have dared to invent him. But he exists. Indeed, he is alive and well, as the following news story by Charlotte Curtis proves. We reprint it in its entirety from the fashion page of the New York *Times* for September 18, 1971, where it appeared under the heading, "Jacques Kaplan Going Abroad To Try Out the Hermit's Life":

> Jacques Kaplan says he's had it with the New York fashion scene. After paving Mrs. William S. Paley's bathroom with Indian lamb, running up blue fox sleeping bags for $2,000 and stenciling a white rabbit coat with the word FUR in big red letters on the back, the multimillionaire pelletier is moving to Europe, perhaps for good.
>
> "The excitement, the creativity, the freedom—they are gone," he said. "I need some distance to do some thinking."
>
> But no matter where he lives, the French-born Mr. Kaplan has no intention of giving up designing. He will continue to do the collection for Georges Kaplan, Inc., the family concern he sold to the Kenton Corporation.
>
> The designer, whose introduction of "fun" furs and "fur-niture" have earned him countless accolades as well as local celebrity status, has always defined his life as "a matter of being and becoming," and although he isn't sure exactly what he's becoming at the moment ("probably a middle-brow bum"), he thinks it will be interesting.
>
> "I'm going to be a hermit," he said seriously. "I have a ticket to Le Havre. I don't know after that."
>
> A summer sojourn in a small European village is his current idea of what being could be. He lived in jeans, read books, communed with nature and talked philosophy and world problems with people who had no idea who he was.
>
> He liked the feeling of anonymity, which he certainly never sought in New York. He began to reject the idea of materialism, particularly as it related to the status fashion games of the super-acquisitive sixties. And he did some new thinking about fashion in general.
>
> "I'm very ambivalent about if there's a role for fashion today," he said. "Is it really relevant to be engaged in such light activities?"

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

His answer, very much in the process of becoming, is somewhat tentative. He adores what he still considers the real job of making fresh, knowingly witty, irreverent and even audacious design statements.

It was no accident, for instance, that he showed up at last winter's extravagantly opulent costumed imperial Russian Court Ball dressed as Karl Marx, with a copy of "Das Kapital" tucked under his arm. Yet he is plagued by what he calls "this new age of awareness."

One result of this "new awareness," he says, is that fewer people care what they wear, and fashion isn't as important as it used to be. And instead of redirecting its designing energies toward what he considers the new needs of the new age, "fashion is turning to the right—just like politics."

"When they can't create something new and exciting," he said, referring to Seventh Avenue, "they do dull things or copy old things."

As a nation, Mr. Kaplan argues, "we have bungled our priorities so much by making bombs and going to the moon that, by comparison, people who design fashion really aren't so awful. At least we don't do any damage."

This kind of thinking leaves Mr. Kaplan with his ambivalence unresolved. On the one hand, he talks of "the 20 per cent at the bottom who want the same symbols we've rejected but who do not have the strength to achieve them." On the other, he says he loves designing—obviously, mostly for the rich.

"But I refuse to do those so-called 'classic' things," he said. "I'm doing a gingham mink for the kitchen."

He will also be spending more time on his fur-niture.

"I don't know where I am in the revolution," he said. "But I know that how we live and what we do with our homes is still important. We need hiding places away from the world. In a time of plastic and fakes, fur is real."

At this stage, Mr. Kaplan, a 46-year-old divorced grandfather whose grown children are blue-jeaned antimaterialists, says he doesn't know whether his move to Europe will be successful or not.

"Maybe I'm an idiot and I'll be back in six weeks," he said. "It's scary, really. But I know I don't belong here."

In the meantime, he is storing his multimillion dollar art collection. But his luxurious apartment is not for rent.

Still More Radical Chic

The following is from the fashion column of *The Village Voice* for October 14, 1971:

So now it's Mao. And stores everywhere are getting ready for the giant Chinese cash-in with quilted toggle-closed tunics, coolie tops, mandarin robes, kimonos, and narrow-legged pants, all in the hottest of reds. The immense popularity in Paris last summer of the Chinese peasants' uniform in blue cotton, the oriental version of denim work clothes, was just further proof that working class attire in any nationality is the start and finish of fashion. Ohrbach's, meanwhile, recently

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ripped it off in black satin and ripped up the price from a neat proletariat $8 to a plutocratic $80 or so. . . .

Meanwhile Parisian artist/designer Catherine Carrara has managed to ring some fun out of this Chinese cash-in. She has acquired from a "secret Chinese connection" some beautifully woven silk tapestry portraits of Mao, Marx, Lenin, Chou En-Lai, and Deputy Chairman Lin Piao. The images come in all sizes and at first Catherine was just making large pillows with red silk or half moon and sickle patterned backs. She sold a few in Paris at Jap (along with her Pussy Pants: white bikini underwear with colorful calico cats sewn on the crotch). Since then her Chinese connection has had some hard times importing his larger shipments into France, so he could only send the smaller-sized portraits and Catherine immediately made wallets and medium-sized handbags out of those. All of the items are truly elegant in their black and white and iridescent gray quality; sometimes Catherine uses the wrong side of the material, which makes a fantastic negative design. Besides the faces of your favorite Russian revolutionaries, there is one lovely pastel full-length version of green-robed Mao as a young man standing amidst a wind-swept landscape, holding a red umbrella, and another one of him playing Ping Pong. Both of these designs come as pillows or handbags.

Mind you, none of them have the cheapy look of nifty-gifties. And because of the material they transcend the silk-screened style of personality posters and t-shirts. Catherine has made a limited edition of her items and is anxious to unload them, knowing that all too soon Azuma will rip her off and produce her entire line in vinyl vulgarity. Her prices are steep (partly to pay off her Chinese connection and her trip to the States), with $40 for her large (27 by 18 inch) Mao and Marx tote bag; $30 for her medium-sized tote; $20 for her wallet (porte a monnaie) or credit card carrier with the four pictured pouches of Mao, Marx, Lenin, and Chou En-lai; and $15 to $35 for the pillows, depending upon the size.

Pollution—circa 1965

If you turn to the article on "Pollution" in the *International Encyclopedia of the Social Sciences* (Volume 12), published in 1965, this is what you will find:

> One of the great puzzles in comparative studies of religion has been the reconciliation of the concept of pollution, or defilement, with that of holiness. . . .

This revised edition of the *Encyclopedia* had extensively updated the old 1930's version to keep the reader abreast of the rapid development and expansion of the social sciences. The pace of intellectual change, however, seems to have been too fast for the *Encyclopedia*.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED